

East Herts District Council Biodiversity Duty Report

Introduction

Public authorities who operate in England must consider what they can do to conserve and enhance biodiversity in England. This is the strengthened 'biodiversity duty' introduced by the Environment Act (2021).

To demonstrate compliance with the biodiversity duty, local authorities (excluding parish councils) and local planning authorities must publish a biodiversity report.

This biodiversity report documents the policies and actions East Herts District Council has carried out to comply with its biodiversity duty and outlines how the Council intends to continue to comply in the future.

The report covers the period **1 January 2024 – 31 December 2025**. Following this, the next report will be published before 26 March 2031.

Section 1: Your policies, objectives and actions

Corporate Plan

East Herts Council approved a new corporate plan on 28 February 2024. It sets 4 priority areas including being environmentally focussed. Within this heading we seek to 'encourage residents to play their part in supporting local wildlife and improving our natural environment'. The report and vision can be found here – [Vision and Corporate Priorities | East Herts District Council](#)

District Plan (Local Plan)

The current local plan, East Herts District Plan 2011-2033, was adopted in 2018, and contains the following policies which promote and support biodiversity:

- Policy NE1 International, National and Locally Designated Nature Conservation – seeks to protect designated sites, proportionate to their importance for biodiversity.

- Policy NE2 Sites or Features of Nature Conservation Interest (Non-Designated) – where proportionate and feasible, encourages all development to achieve gains in biodiversity and to avoid harm to the ecological network.
- Policy NE3 Species and Habitats – seeks to protect and enhance species and habitats.
- Policy NE4 Green Infrastructure – requires new development to protect and enhance the green network across East Herts with its multi-functional benefits.
- Policy DES4 Design of Development – seeks to maximise opportunities for urban greening, such as tree planting and soft landscaping.
- Policy WAT3 Water Quality and the Environment – seeks to protect and enhance the water environment, maintaining buffers along watercourses and seeking restoration and naturalisation where possible.

The District Plan can be found here: [The East Herts District Plan 2018 | East Herts District Council](#).

Sustainability Supplementary Planning Document (SPD)

The Council published a Sustainability SPD in 2021 to provide guidance on the implementation of the district plan policies, including relating to biodiversity. The SPD requires applicants to complete a sustainability checklist with planning submissions, which includes specific questions relating to biodiversity. The SPD can be found here: [Sustainability SPD](#) section 7 within the SPD focusses specifically on biodiversity.

Climate Change Strategy and Environmental Action Plan

The corporate Climate Change Strategy 2022-2026 ([Climate Change Strategy 2022 Accessible.pdf](#)) recognises that climate change will have a negative impact upon biodiversity and sets out the Council's commitment to reducing carbon and protecting our natural habitats. To supplement this strategy the Council published the Environmental Sustainability Action Plan 2024-2025: [Environmental Sustainability Action Plan | East Herts District Council](#).

Action 1.14 sets out the Council's commitment to compiling a list of council owned land that could be used for Biodiversity Net Gain planning obligations that could be offered to developers.

Action 1.15 sets out the commitment to enabling 6,500 more trees in the district whether through direct working or partnerships - this was completed in the period 2023-2025.

In July 2025 the Council declared an [Ecological and Biodiversity Crisis](#) with a number of actions arising, including:

- Embedding nature's recovery at the heart of the council's strategic plans, policy areas, service contracting and decision-making processes.
- Supporting the goal defined by the Wildlife Trust to protect 30% of land for nature by 2030.
- Setting up a Biodiversity Forum to examine the ecological and biodiversity needs of the district and to identify action which could be taken.
- Prioritising investment in nature-based solutions to climate change.

Site Management Plans

Whilst the Council owns a number of public spaces, 4 of the larger parks have specific management plans to ensure protection of the parks and biodiversity.

The parks are: [Pishiobury Park | East Herts District Council](#), [Southern Country Park | East Herts District Council](#), [Southern Country Park | East Herts District Council](#), [Bishop's Park & Play Areas | East Herts District Council](#). The links will take you to the management plans.

Pishiobury Park in Sawbridgeworth was declared a local nature reserve in November 2024 - [Sawbridgeworth's Pishiobury Park declared a local nature reserve | East Herts District Council](#).

In July 2024 the Council celebrated retaining their Green Flag Award for Southern Country Park in Bishop's Stortford and The Ridgeway in Hertford. In addition, Castle Park in Bishop's Stortford won the coveted award for the first time: [Three East Herts parks awarded Green Flag status | East Herts District Council](#)

The actions East Herts District Council has completed, either alone or in partnership with others, that benefit biodiversity

New District Plan (Local Plan) and emerging evidence base

Local planning authorities are required to complete a review of their local plans at least once every 5 years from the adoption date to ensure that plans remain relevant. In October 2023, the Council agreed that East Herts District Plan 2018 needs updating, and that work should commence on updating the technical studies and other preparatory work required to provide a robust evidence base to support the new District Plan. The 30-month period of formal plan-making will commence in Autumn 2026.

A draft Strategic Vision for the new District Plan has been developed. The Vision document identifies the environment as one of its six key themes, guiding how the Council balances growth with the protection of the district's natural assets. This emphasis is further reinforced by East Herts' commitment, highlighted through recent Council motions, to embed nature's recovery into all strategic plans, including the new District Plan, ensuring that policies actively support habitat protection, ecological connectivity, and the reversal of biodiversity decline.

As the Council develops the new District Plan, the Strategic Vision will serve as the 'golden thread' directing sustainable land use, climate-aware growth, and stronger safeguards for vital ecosystems such as chalk streams and wildlife sites, securing biodiversity as a priority for the district's long-term future.

During the reporting period, biodiversity and green infrastructure have also been assessed and promoted as part of the evidence base work to support the policies and strategy of the new District Plan. In June 2025, the Council endorsed the Hertfordshire Green Infrastructure Strategy as part of the evidence base. With strategic analysis and actions to support nature recovery and improvements to the water environment, the Hertfordshire Green Infrastructure Strategy provides a strategic framework that can usefully inform the new District Plan.

Work is also underway on an open space assessment, which assesses the supply and demand of open space in East Herts to inform policies within the new District Plan. Open Space has benefits for both people and nature so conserving and enhancing provision will have a positive impact on biodiversity.

In 2024 the Council undertook a call for sites consultation, inviting submissions of land for housing and other uses, including biodiversity net gain, across a new plan period. 37 sites were promoted for BNG uses, including a number of council owned sites with two specifically identified for BNG. The planning policy team is currently assessing the suitability, availability and deliverability of all sites and will publish the results in a strategic land availability assessment in due course. Impact on environmental designations, habitat and species is a key consideration in the assessment of site suitability.

Neighbourhood Plans

East Herts has 17 adopted Neighbourhood Plans that include policies for biodiversity, identification of designated local green spaces and action plans to deliver improvements. The Walkern Neighbourhood Plan Revision was adopted within the reporting period (July 2024) and places particular emphasis on environmental protection and biodiversity, including a tree charter to protect key trees in the local area. The Stanstead Abbots and St Margarets Neighbourhood Plan was progressed through Regulation 16 consultation and examination during the reporting period and was adopted in March 2026 following a successful referendum. Informed by a Strategic Environmental Assessment and a Habitat Regulations Assessment, the protection of international and national designations, and enhancement of the river environment, have been key priorities for the neighbourhood plan.

Planning Decisions

The delivery of biodiversity net gain has been a key focus during the reporting period and is detailed below in Section 3. Decision-making also plays a broader role in the protection and enhancement of biodiversity in East Herts, for example including planning conditions that protect species in the design and construction of new development (such as for swift bricks).

The Council has been involved in a cross-authority partnership to agree a tariff, for development to the east of the district, to help fund the restoration and management of Hatfield Forest, a National Nature Reserve (NNR) and a Site of Special Scientific Interest (SSSI) close to the border of East Herts.

Hertfordshire Nature Recovery Strategy

All areas in England are developing local nature recovery strategies to create and restore habitats. East Herts Council has supported Hertfordshire County Council in the development of the Hertfordshire Nature Recovery Strategy (LNRS). The Assistant Director for Place Shaping represented Hertfordshire planners on the steering group and in July 2024, officers from across the Council supported the in-person consultation engagement events and submitted council-owned sites for consideration in the LNRS.

Following this in July 2025, the Council promoted the consultation event for the draft Hertfordshire Local Nature Recovery Strategy. Officers commented on the draft document and helped the County Council draft a guidance note for planners and developers. In January 2026 officers attended the official launch of the Local Nature Recovery Strategy.

East Herts District Council is also part of the Hertfordshire Climate Change and Sustainability Partnership. Officers attend all meetings and work with the Hertfordshire Sustainability Officers Group to deliver the aims of the [Hertfordshire Climate Change and Sustainability Partnership](#).

Action 1.15 of the Environmental Action Plan sets out the commitment to enabling 6,500 more trees in the district whether through direct working or partnerships - this was completed in the period 2023-2024 and 2024-2025.

Residents in East Herts were able to register for the [Your Tree Our Future | Hertfordshire County Council](#) scheme. In 2024 14,495 whips/hedge packs were collected and planted by residents. In 2025 21,544 were claimed and planted.

To celebrate 50 years of East Herts District Council the council also planted in 2024/2025 an additional 50 trees in Air Quality Management Areas and 50 in areas experiencing congestion and flood risk. The key purpose of this is to improve climate adaptation, air quality and biodiversity. [East Herts Council marks its 50th Anniversary by Planting Trees to Improve Air Quality | East Herts District Council](#)

The Council has established an Environment and Climate Forum for residents, businesses, Town and Parish Councils and Sustainability groups to attend quarterly. Updates are provided on the Council's sustainability work, on the climate change partnership HCCSP, biodiversity and creating community driven actions and working groups.

Section 2: Your future actions

This section outlines how East Herts District Council plans to fulfil its biodiversity duty over the next 5 years. This section can be referred to in the next reporting period. Details about proposed actions in relation to Biodiversity Net Gain are set out in Section 3 of this report,

We will review our Climate Change Strategy 2022-2026 and supporting Environmental Sustainability Action Plan 2022-2026 to reflect our commitments to biodiversity. These will be launched over the next financial year but will be cognisant of Local Government Reform.

The Environment and Climate Forum will focus on nature recovery throughout 2026 by creating and supporting local actions, in turn supporting actions arising from the East Herts Ecological and Biodiversity Crisis Declaration and Corporate Plan.

We will conclude the viability of valuing our green assets for carbon sequestration to address the commitment made in our Climate Change Emergency Declaration - to reduce our own carbon footprint to an absolute minimum by 2027 and to identify a pathway to offset our residual carbon. [2025 East Herts Council's emissions report - October 2025.pdf](#)

The Council plan to give notice of intent to start the new local plan in June 2026, with the 30 month plan-making period starting in October 2026. The new District Plan's strategy and policies will seek to conserve and enhance biodiversity in East Herts across the next plan period.

We are developing a district wide Design Code, which will refer to biodiversity, green and blue infrastructure. It is anticipated that the design code will be adopted as a Supplementary Plan. Planning policy and decision-making will have regard to the adopted Hertfordshire Local Nature Recovery Strategy to help deliver the priorities and actions for nature recovery in the county. We will continue to work collaboratively with the Hertfordshire Climate Change and Sustainability Partnership to deliver the identified and future workstreams supporting biodiversity.

Section 3: Biodiversity net gain information (for local planning authorities only)

This section sets out how we have monitored biodiversity gains and the results of this monitoring:

Biodiversity Net Gain (BNG) requires most new developments (with some exemptions) to deliver at least a 10% measurable increase in biodiversity compared to the site's original condition, achieved through habitat improvements on-site, habitat creation or enhancement off-site, or by purchasing statutory biodiversity credits as a last resort. BNG is secured once planning permission is granted, via a pre-commencement condition that requires the local planning authority to approve a Biodiversity Gain Plan (and discharge the condition) before development can start.

Approaches have been received from several commercial organisations to register habitat banks within the district. Two of these have been taken forward and whilst not finalised would deliver approximately 230 BU of area habitats and 17BU of linear habitats if finalised and implemented.

As mandatory BNG only came into force in 2024 (12 February for major developments and 2 April for minor developments), relatively few schemes submitted after that date have reached the stage of submitting pre-commencement conditions. As of 31 December 2025, 10 Biodiversity Gain Plans have been approved in East Herts. The tables below set out a summary of the mandatory BNG delivered in this reporting period.

The number of Biodiversity Gain Plans Approved

Type of development/ monitoring period	Approved Biodiversity Gain Plans
Major Development (between 12 February 2024 and 31 December 2025)	1
Minor Development (between 2 April 2024 and 31 December 2025)	9

The split between on-site and off-site gains and statutory credits

Delivery mechanism	Split
On-site gains	99%

Off-site gains	1%
Statutory credits	0%

The net gain in number of units and average percentage gain across approved biodiversity gain plans

Type of habitat units	Net gain in number of units
Habitat area units	1.53
Hedgerow units	0.33
Watercourse units	0.09

Type of habitat units	Average % gain across all approved BGPs
Habitat area units	19%
Hedgerow units	47%
Watercourse units	16%

Actions taken to meet the BNG obligations

East Herts Council’s planning officers have been working proactively and diligently to ensure non-exempt planning applications deliver 10% biodiversity net gain (BNG). Whilst comparable data from before the introduction of mandatory BNG is not available, anecdotal evidence suggests that higher gains are being secured following the introduction, with gains for all main habitat types being above the 10%.

During the reporting period, the Council has undertaken several actions to meet our BNG obligations:

- Planning officers have invested substantial time in reviewing BNG information submitted with applications, advising applicants and agents and clarifying requirements.
- The Council has agreed a Service Level Agreement with Hertfordshire County Council, to provide expert ecological advice on BNG submissions, to ensure it is being delivered appropriately through the development management process. Government grant BNG funding has been secured to help fund this SLA.
- Planning officers have undertaken, external and internal BNG training.

- Two-weekly officer drop-in sessions have been arranged by managers to enable officers to discuss BNG issues and concerns in relation to particular applications.
- Officers from the Council's planning service attend a monthly meeting with other Hertfordshire planning officers and Hertfordshire County Council's ecology officers to share best practice and discuss issues and ideas.
- Planning officers are members of the Planning Advisory Service Basecamp group for Biodiversity Net Gain - this is a network with more than 1000 members and provides a platform to ask questions and receive peer support, share template documents and have bi-monthly online sessions with structured agendas.

Habitat Banks

In the reporting period two sites have been progressing towards becoming habitat banks, which will provide BNG units that developers can buy to meet legal requirements. Planning officers have been working with the applicants, Hertfordshire County Council ecologists and legal colleagues to discuss requirements, check the Habitat Management and Monitoring Plan and progress the S106s. Good progress is being made with this and it is hoped that the Habitat Banks will be approved and secured soon so that they can operate in the next reporting period.

Currently, no Council-owned land is being actively taken-forward for BNG purposes, although a site was promoted for BNG in the Call for Sites consultation.

Plan to meet BNG obligations in the next reporting period

It is likely that there will be significantly more Biodiversity Gain Plans approved in the next monitoring period as schemes work through the planning process. As such, secured gains are likely to be higher. Where small applications are received which typically do not include communal open space (applications for maybe 1-5 new dwellings) the opportunity for on-site provision is limited, owing to restrictions on how biodiversity is counted in private gardens given complexities of securing it. These applications make up a fair proportion of the *number* of applications which need to provide BNG in East Herts. As such we expect there to be an increase in off-site provision in future monitoring periods although this is likely to equate to a small number of units given the typical amount of baseline units on these sites.

The Council will continue to apply the Biodiversity Gain Plan condition on applicable planning applications. Key actions to ensure the Council continues to meet its BNG obligations include the following:

- Continue to train officers to implement BNG, responding to any policy and guidance changes.
- Work with applicants and partners to help secure the emerging Habitat Banks so they can operate in East Herts.
- Monitor fees and establish an adopted calculator to ensure that future monitoring costs are fully met.
- Consider how BNG can be appropriately addressed in the new District Plan, taking into account changes to national policy and guidance.
- Work with colleagues at Hertfordshire County Council to deliver and apply the Local Nature Recovery Strategy, which sets priorities for nature recovery/biodiversity net gain across Hertfordshire.