

PLANNING COMMITTEE – 23 October 2025

25/1012/RSP - Retrospective: Installation of parcel locker facility at 57 - 59 HIGH STREET, ABBOTS LANGLEY, HERTFORDSHIRE, WD5 0AE.

Parish: Abbots Langley Parish Council
Expiry of Statutory Period: 04.09.2025
Extension of Time Agreed: to 31.10.2025

Ward: Abbots Langley And Bedmond
Case Officer: Danielle Kavanagh

Development Type: Minor development.

Recommendation: That retrospective planning permission be GRANTED subject to conditions.

Reason for consideration by the Committee: To consider impact on the conservation area and local concern.

To view all documents forming part of this application, please go to the following website:
[25/1012/RSP - Retrospective: Installation of parcel locker facility at 57 - 59 High Street Abbots Langley, Hertfordshire, WD5 0AE](#)

Update: This application was discussed at the September Planning Committee meeting. The item was deferred following debate, in order to give the applicant opportunity to change the external colour of the lockers. The applicant, InPost, has come forward with an alternative version of their corporate branding. The revised proposal is for the lockers to be wrapped in a dark grey vinyl. The amended drawings are available to view online. The officer's recommendation for approval remains, for the reasons outlined in the analysis of this report which has been updated where necessary (primarily para 7.1.6) to reflect the amended design.

1 Relevant Planning and Enforcement History

- 1.1 24/0022/COMP – Erection of click and collect facility (in-post). Pending consideration subject to outcome of this application.
- 1.2 08/1644/FUL - Erection of uncovered trolley park - 26.09.2008 – Permitted
- 1.3 08/1275/FUL - Erection of covered trolley park- 22.08.2008 – Permitted

2 Description of Application Site

- 2.1 The application site contains a supermarket known as 'Sweeney's' and associated areas of hardsurfacing, located along Abbots Langley High Street, which is a Primary Shopping Frontage and located within the Abbots Langley Conservation Area.
- 2.2 The application site is located on a corner plot with a frontage that runs adjacent to the High Street and a side elevation that runs along The Crescent. The Crescent leads to a residential area, whilst the High Street consists of predominantly commercial units with residential units above.
- 2.3 To the north east and west of the building there are uncovered trolley bays while to the north west there is also an Inpost locker (subject of this application)
- 2.4 The closest residential neighbours to the application site would be any occupants of the first floor units adjacent to or on the application site, and neighbouring commercial units No.3. The Crescent is located on the opposite side of the application site and is approximately 23m to the east.

3 Description of Proposed Development

- 3.1 This application seeks retrospective planning permission for the installation of a parcel locker facility.
- 3.2 The parcel locker structure (hereafter referred to as “structure”) is located to the north west of the application building. It is set back from the shop frontage by 1.5m. The structure is 2.6m wide and 0.9m deep, set off the wall by 0.1m. The main unit has a height of 2.3m. There is a canopy with a maximum height of 2.5m, which projects 0.8m forward of the lockers. The structure is metal in construction, and currently finished in white, yellow and black with an integrated LED screen. There are two CCTV cameras on the front canopy projection, with metal-clad down lights located in the canopy.
- 3.3 The proposed change to the existing structure would result in the entire locker being wrapped in grey vinyl and therefore having a dark grey appearance, as shown in TRDC001 (EXISTING AND PROPOSED LOCKER FINISHES)

4 Statutory Consultation

- 4.1 National Grid: [No response received]
- 4.2 Abbots Langley Parish Council: [Objection]

Members note the site lies within a conservation area and have concerns about the visual impact, placement, and the risk of illegal short-term parking. While the need for a parcel locker is recognised, members believe this was installed without proper consultation, risks setting a precedent, and request officer guidance on how to avoid similar issues in future.

- 4.3 Conservation Officer: [Response to application as originally submitted - Objection]

The site is in Abbots Langley Conservation Area, which is described in the Abbots Langley Conservation Area Appraisal (CAA). The application site is identified within the CAA as part of the Commercial Centre Character Area just outside the western end of the Tibbs Hill to The Abbots House Character Area.

One of the key focal points of the Conservation Area is the Grade I Listed Church of St Lawrence (List Entry Number: 1296433) and associated structures. The churchyard and perimeter wall extend south and sit adjacent to the High Street on its western side. The junction between Tibbs Hill Road and High Street forms the northern entrance to the Conservation Area.

Nearby nationally listed buildings include The Old Maltings, Including Kiln and Stable Block (List Entry Number: 1348183) and Abbot's House (List Entry Number: 1296402), although these are screened from the application site by buildings on the eastern side of the High Street.

The building at the application site is a two storey twentieth century commercial building that does not make a positive contribution to the Conservation Area but is broadly in keeping with the commercial character on this part of the High Street. The lockers are located on the prominent northern corner of the application site at the junction of the High Street and the western element of The Crescent.

The lockers are relatively large and bulky, which is exacerbated by the prominent corner location and the light colour and lettering of the locker facility. It is visible from adjacent to the historic wall at the junction of High Street and St Lawrence Road.

While the principle of this type of locker facility is not unacceptable in principle, the location, scale and design of the lockers are excessively prominent and detract from the character of the Conservation Area, resulting in less than substantial harm. In addition, the application

site extends further to the side and rear and it is not clear if alternative locations within the application site have been considered including further to the side or rear or within the shop itself.

For the reasons outlined above, the installation does not preserve the character of the Conservation Area contrary to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

With regards to the National Planning Policy Framework the level of harm is 'less than substantial' as per paragraph 215. 'Great weight' should be given to the heritage asset's conservation as per paragraph 212. There may be public benefits to the proposal and paragraph 215 states that less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposal.

4.3.1 Conservation Officer: [Response to application as amended - Objection]

In the previous iteration, heritage concerns were raised primarily due to the scale, prominent corner location and the light colour and lettering of the locker facility and lack of information on whether alternative locations within the site had been considered. As a result, a degree of less than substantial harm was identified.

In the current proposal, the colour scheme would be altered to a darker grey/black with small white and yellow lettering. The currently proposed colour scheme would be less bright and would reduce the prominence to some extent, although the darker shade would contrast with the lighter coloured brickwork of the building and so the locker facility is still likely to be prominently visible. Therefore, the current proposal would be a slight improvement, but the other concerns raised would not be addressed by this change so the proposal would still result in less than substantial harm to the Conservation Area.

4.4 **Public/Neighbour Consultation**

4.5 **Site notice displayed:** 13.08.2025, expires 04.09.2025

4.6 **Press notice published:** 04.08.2025, expired 30.08.2025

4.7 Neighbours consulted: 15

4.8 Responses received: 3 [3 objections]

Summary of objections:

- *The parcel locker is considered modern, large, and brightly coloured, clashing with the traditional character of the Abbots Langley Conservation Area and nearby listed buildings. The design, materials, and signage are thought to be unsympathetic to the surrounding historic environment.*
- *Its presence harms views to and from Grade I and II listed buildings, particularly St Lawrence Church, breaching local planning policies (DM3).*
- *The locker was installed in February 2024 without planning permission or public consultation. Approving the retrospective application would set a precedent, undermine planning rules and public trust. Its removal is requested by one commenter.*
- *Residents report worsened parking problems and safety concerns due to delivery vans associated with the locker, violating DM13.*
- *The installation neither restores nor removes unsympathetic features in the Conservation Area, contrary to DM3 c) vii).*
- *A commenter suggested suitable alternative locations likely exist on the High Street that would avoid heritage harm.*

- *Allowing the application could set a precedent.*

5 Reason for Delay

5.1 Decision deferred from the September Committee meeting.

6 Relevant Planning Policy, Guidance and Legislation

6.1 Legislation

6.2 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise as set out within S38 (6) Planning and Compulsory Purchase Act 2004 and S70 of Town and Country Planning Act 1990).

6.3 S72 of Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas.

6.4 The Localism Act received Royal Assent on 15 November 2011. The Growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

6.5 The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

6.6 The Environment Act 2021.

6.7 National Planning Policy Framework and National Planning Practice Guidance

In 2024 the new National Planning Policy Framework was published. This is read alongside the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The NPPF is clear that “existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework”.

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

6.8 The Three Rivers Local Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP9, CP10 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM3 DM6, DM8, DM13 and Appendix and 5.

Abbots Langley Conservation Area Appraisal 2014.

7 Planning Analysis

7.1 Impact on the character and appearance of the host building and conservation area

- 7.1.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy relates to design and states that in seeking a high standard of design, the Council will expect development proposals to have regard to the local context and conserve or enhance the character, amenities and quality of an area.
- 7.1.2 Policy DM3 sets out that applications will only be supported where they sustain, conserve and where appropriate, enhance the significance, character and setting of the asset itself and the surrounding historic environment. The NPPF at paragraph 212 states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 7.1.3 The application site is within the Abbots Langley Conservation Area. As set out in the Abbots Langley Conservation Area Appraisal, 'The Commercial Centre' is effectively the area between Abbots Langley Police Station and St Lawrence Close. The rows of shops on both sides of the road provide an important link between St. Lawrence Close and Kitters Green and generate the busy and bustling character that is evident in this part of the conservation area. This central area is the most urban of the conservation area's three distinctive 'Character Areas'. The location of most of Abbots Langley's amenities and services here ensure that the conservation area remains the central focus of the village. The Appraisal cites that 'buildings on the eastern side of the High Street are a mix of types and ages, although most date from the 20th Century, and include a good example of a 1930's shopping parade'.
- 7.1.4 The structure occupies a prominent location within the conservation area on the corner of Abbots Langley High Street and The Crescent, meaning that there are clear views of the lockers when viewed from the High Street looking to the south and east and from The Crescent.
- 7.1.5 The Conservation Officer has commented that "*The building at the application site is a two storey twentieth century commercial building that does not make a positive contribution to the Conservation Area but is broadly in keeping with the commercial character on this part of the High Street.*" The application site houses a commercial premises in the commercial core which by its very nature has numerous examples of items / paraphernalia related to commercial activity, such as advertisements, trolley bays, fascia signs and items of public street furniture such as benches and refuse bins, the cumulative effect of which result in a somewhat visually cluttered appearance, consistent with a modern commercial centre / shopping parade.
- 7.1.6 When considering the impact of the structure on the character of the streetscene and conservation area, it is accepted that it is visible, and that the proposed grey colour would still have some contrast with the lighter-coloured brick backdrop. However, that does not automatically mean its presence has a harmful impact on the character and appearance of the Conservation Area. The structure is relatively small in scale and sat against the flank

two storey wall of the supermarket. The building itself is unremarkable and as highlighted by the Conservation Officer it does not make a positive contribution to the Conservation Area. The presence of the structure is in response to changes in consumer habits and lockers such as this are no longer uncommon features found within high street locations. Given the context of the structure, which is positioned within the recognised 'Commercial Centre' of the conservation area, it is considered that it preserves the existing character and appearance of the surrounding Conservation Area. Additionally, the proposed grey vinyl finish is considered to be less eye-catching than the existing yellow and white finish. The darker colour is more likely to blend into the materials of the surrounding site. There are dark coloured accents on the signage for Sweeny's Supermarket (which the structure is sited against the flank wall of), this colourway is considered to be in keeping with the materials and external finishes present on site, therefore it is not considered that the lettering and colour are unacceptable, given the immediate context of the structure.

- 7.1.7 The structure is supported by down lights however, it is not considered that this results in any harm. A condition is attached to control existing and future lighting.
- 7.1.8 While the Conservation Officer's conclusion that despite the amended proposal being less bright and reducing the prominence of the structure to some extent, the structure still does not preserve the character of the Conservation Area, is noted, it is considered as a matter of planning judgement for reasons expressed above that the structure has a neutral impact on the character of the Abbots Langley Conservation Area.
- 7.1.9 In summary, it is considered that the development does not result in any adverse harm to the character or appearance of the Abbots Langley Conservation Area. The development is therefore acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (2011) and Policy DM3 of the Development Management Policies LDD (2013), Abbots Langley Conservation Area Appraisal 2014 and the NPPF (2024).

7.2 Impact on amenity of neighbours

- 7.2.1 Policy CP12 of the Core Strategy states that development should 'protect residential amenities by taking into account the need for adequate levels and disposition of privacy, prospect, amenity and garden space'. Policy DM1 and Appendix 2 of the Development Management Policies document set out that development should not result in loss of light to the windows of neighbouring properties nor allow overlooking and should not be excessively prominent in relation to adjacent properties.
- 7.2.2 The closest residential neighbours to the application site would be any occupants of first floor units of the building on the application site and the neighbouring commercial units, No. 3. The Crescent is located on the opposite side of the application site and is approximately 23m to the east. There is a possibility of disturbance to neighbours due to the lockers being used for collections and drops offs. There are downlights present in the canopy of the structure, which provide directional light for the structure's use. These lights would likely contribute some light to the surrounding area during hours of darkness. However, it is noted that the structure is sited against a two storey wall where no first-floor windows are present, with the closest neighbours likely separated by the High Street and the Crescent. The structure is not considered to have any impact on the light or amenity of the neighbouring dwellings due to its scale and siting.
- 7.2.3 The development is acceptable in this regard in accordance with Policies CP1 and CP12 of the Core Strategy (2011) and Policy DM1 and Appendix 2 of the Development Management Policies LDD (2013).

7.3 Highways & Parking

- 7.3.1 Policy DM13 of the Development Management Policies LDD requires development to make provision for parking in accordance with the parking standards set out at Appendix 5 of the Development Management Policies LDD.
- 7.3.2 The proposed development is sited on private land and does not in itself obstruct the highway. An objection comment has raised concern that the parcel lockers give rise to illegal parking in the vicinity of the application site. While this comment is noted, there is dedicated parking available on the High Street as well as a car park which serves the High Street. There are also double yellow lines marked along parts of The Crescent and The High Street. It would therefore be a matter for parking enforcement to enforce against any illegal parking.
- 7.3.3 As there is sufficient legal parking provision in the area to serve any additional visits to the area generated by the presence of the parcel lockers, a refusal of planning permission for this reason would not be justified. The development is therefore considered to be in accordance with Policy DM13 of the Development Management Policies LDD (adopted July 2013).

7.4 Trees & Landscape

- 7.4.1 Policy DM6 of the Development Management Policies LDD sets out that development proposals should seek to retain trees and other landscape and nature conservation features, and that proposals should demonstrate that trees will be safeguarded and managed during and after development in accordance with the relevant British Standards. The proposed development would not involve the removal of any trees or lie in close proximity to trees.
- 7.4.2 The proposed development has not required the removal of any trees.

7.5 Biodiversity

- 7.5.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.
- 7.5.2 Biodiversity protection and protected species are a material planning consideration during the application process of this application. This is in accordance with Policy CP9 of the Core strategy in addition to Policy DM6 of the Development Management Policies Local Development Document. Local Authorities, in line with National Planning Policy, are required to ensure that a protected species survey is completed for applications whereby biodiversity may be affected prior to the determination of the application.
- 7.5.3 A biodiversity checklist was submitted with the application this stated that no protected species or biodiversity factors will be affected as a result of the development. The Local Planning Authority is not aware of any protected species within the immediate area that would require further assessment.

7.6 Mandatory Biodiversity Net Gain

- 7.6.1 Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 sets out that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the 'biodiversity gain condition' requiring development to achieve a net gain of 10% of biodiversity value. This is subject to exemptions as set out in The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

- 7.6.2 In this case, the applicant has confirmed that if permission is granted for the development to which this application relates the biodiversity gain condition would not apply because the application falls under the de minimis exemption.

8 Recommendation

- 8.1 That subject to no new material planning considerations being raised, that **PART-RETROSPECTIVE PLANNING PERMISSION BE GRANTED**, subject to the following conditions:

- C1 Within three months of the date of this permission, the external appearance of the lockers shall be changed to the proposed grey colour scheme as shown on TRDC001 (EXISTING AND PROPOSED LOCKER FINISHES) and the lockers shall be maintained as such thereafter.

Reason: To preserve the character and appearance of the Abbots Langley Conservation Area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM3 of the Development Management Policies LDD (adopted July 2013), the Abbots Langley Conservation Area Appraisal (adopted 2014) and the NPPF (2024).

- C2 No additional external lighting shall be installed on or affixed to the structure unless the Local Planning Authority has first approved in writing details of the position, height, design and intensity. The lighting shall be retained in accordance with the approved details.

Reason: To preserve the character and appearance of the Abbots Langley Conservation Area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM3 of the Development Management Policies LDD (adopted July 2013), the Abbots Langley Conservation Area Appraisal (adopted 2014) and the NPPF (2024).

- C3 The external down lighting on the structure hereby permitted may only be used between the hours of 7am and 10pm daily, while the shop within the application site is open.

Reason: To preserve the character and appearance of the Abbots Langley Conservation Area and to meet the requirements of Policies CP1 and CP12 of the Core Strategy (adopted October 2011), Policy DM3 of the Development Management Policies LDD (adopted July 2013), the Abbots Langley Conservation Area Appraisal (adopted 2014) and the NPPF (2024).

- I1 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application which includes a fee.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 01438 879990 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this (cil@threeivers.gov.uk). If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works It is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010

(As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

Following the grant of planning permission by the Local Planning Authority it is accepted that new issues may arise post determination, which require modification of the approved plans. Please note that regardless of the reason for these changes, where these modifications are fundamental or substantial, a new planning application will need to be submitted. Where less substantial changes are proposed, the following options are available to applicants:

{\b (a)} Making a Non-Material Amendment

{\b (b)} Amending the conditions attached to the planning permission, including seeking to make minor material amendments (otherwise known as a section 73 application).

It is important that any modifications to a planning permission are formalised before works commence otherwise your planning permission may be unlawful and therefore could be subject to enforcement action. In addition, please be aware that changes to a development previously granted by the LPA may affect any previous Community Infrastructure Levy (CIL) owed or exemption granted by the Council. If you are in any doubt whether the new/amended development is now liable for CIL you are advised to contact the Community Infrastructure Levy Officer (01923 776611) for clarification. Information regarding CIL can be found on the Three Rivers website (<https://www.threerivers.gov.uk/services/planning/community-infrastructure-levy>).

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work. Further information on how to incorporate changes to reduce your energy and water use is available at: <https://www.threerivers.gov.uk/services/environment-climate-emergency/home-energy-efficiency-sustainable-living#Greening%20your%20home>.

- 12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 13 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the District.
- 14 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 Three Rivers District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not apply.

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because the following statutory exemption or transitional arrangement is considered to apply.

Development below the de minimis threshold, meaning development which:

- a) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- b) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

Where the local planning authority considers that the permission falls within paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990, the permission which has been granted has the effect of requiring or permitting the development to proceed in phases. The modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun, and, if subject to phased development, before each phase of development may be begun.

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

More information can be found in the Planning Practice Guidance online at <https://www.gov.uk/guidance/biodiversity-net-gain>.