

**CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:**

**ECOLOGY AND BIODIVERSITY PLANNING ADVICE**

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| <b>DISTRICT OR BOROUGH</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Hinckley & Bosworth Borough Council                                    |
| <b>APPLICATION NUMBER</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 24/01145/FUL                                                           |
| <b>ADDRESS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Land To The Rear Of Valley View Station Road Desford<br>Leicestershire |
| <b>DESCRIPTION OF DEVELOPMENT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Erection of a bungalow                                                 |
| <b>PLANNING CASE OFFICER</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Sullivan Archer                                                        |
| <b>DEPARTMENT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                        |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Ecology                                                                |
| <b>PLANNING ECOLOGY OFFICER</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Helen Chambers                                                         |
| <b>DATE OF COMMENTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 08/01/25                                                               |
| <b>SUMMARY RESPONSE:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                        |
| No comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                        |
| No objection                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                        |
| Recommend Refusal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                        |
| Holding Objection - Further information required                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | ✓                                                                      |
| <b>SUMMARY OF ECOLOGICAL DOCUMENTS CONSIDERED:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                        |
| <ul style="list-style-type: none"> <li>• Preliminary Ecological Appraisal (Three Shires Ltd, 2024)</li> <li>• BNG Metric (Sarah Mickowsk, 2024)</li> <li>• BNG Mapping</li> <li>• Biodiversity Gain Plan (Sarah Mickowsk, 2024)</li> <li>• Proposed Site Plan (SMARTTECH Design, 2024)</li> <li>• Tree Constraints Plan (SP Tree Consultancy, 2024)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                      |                                                                        |
| <b>REASON FOR RECOMMENDATION PROVIDED:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                        |
| <ul style="list-style-type: none"> <li>• Insufficient information has been provided in relation the ecology of the site, both in terms of protected species and the BNG assessment (see below).</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                        |
| <b>PROTECTED SPECIES FURTHER INFORMATION REQUIRED:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                        |
| <ul style="list-style-type: none"> <li>• The Preliminary Ecological Appraisal recommends that eDNA GCN testing of ponds P1-P5 should be undertaken where possible. This should be undertaken at any appropriate time of year and the results of which should be used to understand whether any further survey effort is required and/or the appropriate mitigation.</li> <li>• Please note that ODPM Regulations require protected species surveys to be submitted prior to determination of a planning application. It is also essential that the extent that they may be affected by the proposed development is established before the planning permission is granted. Reference: Paragraph 99 of ODPM Circular 06/2005 (Biodiversity</li> </ul> |                                                                        |

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| and Geological Conservation – Statutory Obligations and their Impact within the Planning System). Therefore, any further surveys recommended within the report would need to be carried out prior to determination.                                        |     |
| <b>BIODIVERSITY NET GAIN (BNG)</b>                                                                                                                                                                                                                         |     |
| <b>FURTHER INFORMATION IS REQUIRED REGARDING:</b>                                                                                                                                                                                                          |     |
| Incomplete or incorrect cells in the statutory metric                                                                                                                                                                                                      |     |
| Incomplete or incorrect UK Hab or condition assessment information                                                                                                                                                                                         |     |
| Final pre-development habitat value                                                                                                                                                                                                                        |     |
| How post-development BNG land will be secured for 30 years                                                                                                                                                                                                 |     |
| Description of <b>irreplaceable habitat</b>                                                                                                                                                                                                                |     |
| Description of <b>degradation</b>                                                                                                                                                                                                                          |     |
| <b>BIODIVERSITY NET GAIN (BNG) SPECIFIC COMMENTS:</b>                                                                                                                                                                                                      |     |
| <ul style="list-style-type: none"> <li>The Biodiversity Metric Calculation Tool (excel spreadsheet) has not been provided with the application. This should be provided as we cannot be confident in the BNG assessment of the site without it.</li> </ul> |     |
| <b>DATE PROVIDED ON STATUTORY METRIC ONCE REVIEWED AND AGREED (for decision notice purposes):</b>                                                                                                                                                          | N/A |
| <b>ANY RECOMMENDED CONDITIONS TO BE APPLIED:</b>                                                                                                                                                                                                           |     |
| <ul style="list-style-type: none"> <li>N/A</li> </ul>                                                                                                                                                                                                      |     |
| <b>ANY RECOMMENDED INFORMATIVES TO BE APPLIED:</b>                                                                                                                                                                                                         |     |
| <ul style="list-style-type: none"> <li>N/A</li> </ul>                                                                                                                                                                                                      |     |
| <b>DISCHARGE OF CONDITIONS ONLY:</b>                                                                                                                                                                                                                       |     |
| (Please confirm which condition(s) is/are being discharged)                                                                                                                                                                                                |     |
| <ul style="list-style-type: none"> <li>N/A</li> </ul>                                                                                                                                                                                                      |     |

**Note for applicants: Please be aware that this specialist advice is provided to the Local Planning Authority through a Service Level Agreement between the Local Planning Authority and Leicestershire County Council.**

If you have any queries about this advice, please correspond directly with the Planning Officer assigned to the planning application or discharge of condition application. We are unable to respond directly to applicant enquiries regarding the advice that we have provided as part of this service.

**The following legislation is used to assist in the assessment of planning applications:**

| Legislation source                                              | Reference                                                                                                                                                   |
|-----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| National Planning Policy Framework                              | Paragraphs relevant to biodiversity, biodiversity net gain, ecological connectivity and protected species                                                   |
| Environment Act 2021                                            | Mandatory Net Gain<br>Biodiversity Duty<br>Local Nature Recovery Strategy                                                                                   |
| District or Borough Local Plan and supporting SPD's             | Local Plan policy                                                                                                                                           |
| ODPM circular 06/2005: Biodiversity and Geological Conservation | Requirement for species survey work and mitigation recommendations to be carried out prior to the determination of a planning application. Paras. 98 and 99 |
| NERC Act 2006                                                   | Biodiversity Duty (see also Environment Act 2021)<br>Section 41, habitats and species of Principal Importance (previously BAP)                              |

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| <p>Various International, European and National laws in relation to the protection of species and habitats</p> | <p>International and national site protection: Ramsar sites (from Ramsar Convention), Habitat and Birds Directives (Natura 2000 sites include SAC's and SPA's), SSSI's, National Nature Reserves, Local Wildlife Sites, Local Nature Reserves.</p> <p>Habitats and Species protection: Habitat and Species Regulations (protected sites and species). Wildlife and Countryside Act 1981 (as amended including special Schedule 1), Natural England Standing Advice. Badger Act.</p> |
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