

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	24/00270/FUL
ADDRESS	Land North Of Pipe Lane Orton On The Hill Leicestershire
DESCRIPTION OF DEVELOPMENT	Erection of detached dwelling, formation of access from Pipe Lane and associated works.
PLANNING CASE OFFICER	Sullivan Archer
DEPARTMENT	
	Ecology
PLANNING ECOLOGY OFFICER	
	Dale Devereaux
DATE OF COMMENTS	
	10/04/2024
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	
Condition recommended	☒
Informative recommended	☒
REASON FOR RECOMMENDATION PROVIDED:	
- The provided Preliminary Ecological Appraisal (PRA) carried out by Griffin Ecology Ltd (Feb 2024) is acceptable and no further surveys are required. - The large Horse Chestnut on site is a candidate Local Wildlife Site (cLWS). This is shown to be retained, and works are outside of the root protection zone. - As stated in the PRA, the proposed development was submitted and validated before the 2nd of April, and therefore is exempt from statutory BNG. Therefore no metric is required, however, as per the NPPF, the application must show measurable net gain in biodiversity. - The proposed development will involve a loss of all improved grassland, one Norway Spruce, and one Ash in the southern boundary, as well as a small section of native hedgerow. - In order for a net gain in biodiversity to be demonstrated, the applicant should provide a biodiversity enhancement scheme prior to development. This should include a native planting scheme, at least 1 bat box, and at least 1 bird box. - The below Condition and Informative should be attached to any permission.	
BIODIVERSITY NET GAIN (BNG) specific comments:	
N/A	

FURTHER INFORMATION REQUIRED:
N/A
AMENDMENTS RECOMMENDED:
N/A
RECOMMENDED CONDITIONS TO BE APPLIED:
No development shall take place until a biodiversity enhancement scheme has been submitted to and approved in writing by the LPA. Enhancements shall include (but is not limited to) a native planting scheme, at least one woodcrete/integrated bat box, one woodcrete/integrated bird box, the make/model and their locations. Any enhancement measures need to be shown on all relevant submitted plans. All works are to proceed strictly in accordance with the approved scheme.
RECOMMENDED INFORMATIVES TO BE APPLIED:
Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore, vegetation clearance should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.
RECOMMENDED SECTION 106 REQUIREMENT (standard clause, contribution amount, trigger for payment)
N/A
DISCHARGE OF CONDITIONS ONLY: (Please confirm which condition(s) is/are being discharged)
N/A

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
NPPF Dec 2023	Paras 8, 180, 181, 185, 186, 187, 188
Environment Act 2021	Mandatory Net Gain Biodiversity Duty Local Nature Recovery Strategy
District or Borough Local Plan and supporting SPD's	Local Plan policy reference:
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) Section 41, habitats and species of Principal Importance (previously BAP)
Various International, European and National laws in relation to the protection of species and habitats	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.

	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.
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