
From: planning.ecology@planning.leics.gov.uk
Sent: 12 April 2024 16:46
To: David Spring; Planning Folder New
Subject: Response To Application Number 24/00240/OUT at 44 Ratby Lane Markfield
Leicestershire LE67 9RJ
Attachments: Response_2024-0240-04.pdf

Please find attached my representation in response to the above planning submission.

On behalf of
Leicestershire County Council
County Hall
Glenfield
Leicestershire
LE3 8RJ

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MONITORED ***

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	24/00240/OUT
ADDRESS	44 Ratby Lane Markfield Leicestershire LE67 9RJ
DESCRIPTION OF DEVELOPMENT	Outline planning permission (access, landscaping, layout and scale) for the erection of a single dwelling
PLANNING CASE OFFICER	David Spring
DEPARTMENT	
Ecology	
PLANNING ECOLOGY OFFICER	Dale Devereaux
DATE OF COMMENTS	12/04/2024
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	
Condition recommended	
Informative recommended	
REASON FOR RECOMMENDATION PROVIDED:	
- The proposed development is sited on existing garden, therefore no ecological surveys will be required. - However from the photographs provided, it appears to be quite overgrown, and a number of trees and shrubs are proposed to be removed. These are likely to provide habitat for nesting birds, therefore all clearance should take place outside of nesting season. - Furthermore, as required by the NPPF, all applications must demonstrate measurable net gain. - To achieve this, a minimum of two bird nest boxes, or a sparrow terrace with at least two entrances should be included in plans at the reserved matters stage. The addition of native planting will also help to demonstrate biodiversity net gain, particularly fruit bearing trees such as hawthorn and crabapple.	
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) at least two woodcrete/integrated bird boxes, or a single woodcrete/integrated sparrow terrace with at least two entrances, 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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