

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley & Bosworth District Council
APPLICATION NUMBER	24/00560/HYB
ADDRESS	Land Off Station Road Market Bosworth Leicestershire
DESCRIPTION OF DEVELOPMENT	Hybrid planning application seeking full planning permission for residential development of 138 dwelling houses along with landscaping, public open space, drainage infrastructure and new access following demolition of two existing dwellinghouses; and outline planning permission (all matters reserved except for point of access) for 0.55ha of employment uses (Classes E (g) (i, ii and iii), B2 and B8
PLANNING CASE OFFICER	Tim Hartley
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Kirsten Hunter
DATE OF COMMENTS	17 th October 2024
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	✓
Condition recommended	✓
Informative recommended	
SUMMARY OF ECOLOGICAL DOCUMENTS CONSIDERED:	
• Biodiversity Net Gain Statement; • Ecological Appraisal by FPCR, dated May 2024; • BNG Metric; • Site Location Plan; • Illustrative Landscape Masterplan, Drg No. P23-1884_EN_0007_B_0001	
REASON FOR RECOMMENDATION PROVIDED:	
• The Ecological Appraisal by FPCR provides a satisfactory evaluation of the impacts of the proposed development on designated sites, habitats of principal importance and protected species. The report details the results of protected species surveys carried out to stated good practice guidance and at appropriate times of year.	

• The report presents the results of protected species surveys including great crested newt Habitat Suitability Index assessment and eDNA testing carried out on the pond on Site. Given the extent of the development, 250m radius search for potential GCN ponds is considered small. However, the report details significant barriers to dispersal, therefore extending the radius to 500m will not likely contribute further useful information. The precautionary Reasonable Avoidance Measures (RAMs) as recommended in Section 4.55 in the Ecological Appraisal is considered appropriate and can form a pre-commencement condition. • Bat emergence surveys were carried out on the buildings present on Site with no emergences recorded. Bat Activity surveys were also carried out, covering spring, summer and autumn seasons as per good practice guidance. Tree T4 supported potential roost features and will be retained and buffered. • Breeding Bird survey was also carried out with skylark identified as a possible breeder. • Recommendations set out in the Ecological Appraisal should be followed to good practice guidance. • It is recommended that a Biodiversity Enhancement Management Plan (BEMP) is produced for the ecological enhancements, including bird boxes recommended in Section 4.43 of the Ecological Appraisal. • A CEMP: Biodiversity should be produced to detail precautionary working methods including identification of potentially damaging construction activities, identification of biodiversity protection zones such as root protection areas around retained hedgerows and trees and the buffer around T4, practical measures and sensitive working practices to avoid or reduce impacts during construction, timing of works to avoid harm to nesting birds, responsible persons for overseeing sensitive works and use of protective fencing where required.
BIODIVERSITY NET GAIN (BNG) specific comments:
• The proposed landscape scheme achieves a BNG of +1.55 (10.1%) habitat units and +2.2 (56.07%) hedgerow units. The proposed retained, enhanced and created habitats are feasible. Trading rules have been satisfied. • Recommendations presented in Biodiversity Net Gain Statement should be followed including compensation for removal of the pLWS hedgerow on Site. • No Metric spreadsheet is available on the planning portal, however a copy of the Metric is provided. The Metric is missing information on author and date of completion. This information should be provided for validation. • A Habitat Management and Monitoring Plan (HMMP) should be produced once the application is accepted however a draft plan can be submitted prior to determination as evidence the above landscape scheme will be achievable to the conditions stated and maintained for 30 years.
FURTHER INFORMATION REQUIRED:
• Licence details for the ecologist who undertook the internal and external building assessment for roosting bats. • Missing author and date of completion in the Metric. • Metric spreadsheet.
AMENDMENTS RECOMMENDED:
•
RECOMMENDED CONDITIONS TO BE APPLIED:
• Bat-sensitive lighting plan as recommended in Section 4.35 of the Ecological Appraisal. • RAMS as recommended in Section 4.55 in the Ecological Appraisal. • BEMP.

• CEMP.
RECOMMENDED INFORMATIVES TO BE APPLIED:
•
RECOMMENDED SECTION 106 REQUIREMENT (standard clause, contribution amount, trigger for payment)
•
DISCHARGE OF CONDITIONS ONLY: (Please confirm which condition(s) is/are being discharged)
•

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 Biodiversity Duty 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) 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.