

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	24/00678/FUL
ADDRESS	17 Bridge Lane Witherley Atherstone Leicestershire CV9 3LG
DESCRIPTION OF DEVELOPMENT	Erection of a single dormer bungalow with associated access and parking.
PLANNING CASE OFFICER	Joseph Fleetwood HBBC
DEPARTMENT	
Ecology	
PLANNING ECOLOGY OFFICER	Dale Devereaux
DATE OF COMMENTS	12/08/2024
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 located in a residential area, with nearby open countryside relatively well connected by mature trees and the River Anker. - As the proposed development is sited on existing garden and hard standing, no ecology surveys are required.	
BIODIVERSITY NET GAIN (BNG) specific comments:	
- The small sites metric (James Porter, May 2024) and BNG Assessment Cover Letter (LWMTS, May 2024) are acceptable. - However, there is only a net gain of 2.8%, and the provided cover letter does not adequately specify how this shortfall will be mitigated. - In order for me to be confident that the mandatory 10% net gain will be achieved, this will need to be clarified prior to determination. - As a note to the applicant, the small site metric gives significant weight to planted trees, inputted using the 'tree area calculator'. I believe the addition of one or two new native trees planted would allow the required 10% net gain to be achieved on-site.	
FURTHER INFORMATION REQUIRED:	

Updated BNG metric and cover letter specifying how the mandatory 10% net gain will be achieved.
AMENDMENTS RECOMMENDED:
N/A
RECOMMENDED CONDITIONS TO BE APPLIED:
N/A
RECOMMENDED INFORMATIVES TO BE APPLIED:
N/A
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.