

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

**ECOLOGY AND BIODIVERSITY PLANNING ADVICE**

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| <b>DISTRICT OR BOROUGH</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Hinckley and Bosworth Borough Council                              |
| <b>APPLICATION NUMBER</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 24/00285/FUL                                                       |
| <b>ADDRESS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Land Adjacent 2 Hangmans Lane Hinckley Leicestershire              |
| <b>DESCRIPTION OF DEVELOPMENT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Erection of one new dwelling and associated access and landscaping |
| <b>PLANNING CASE OFFICER</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Sullivan Archer                                                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                    |
| <b>DEPARTMENT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Ecology                                                            |
| <b>PLANNING ECOLOGY OFFICER</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Dale Devereaux                                                     |
| <b>DATE OF COMMENTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 28/05/2024                                                         |
| <b>SUMMARY RESPONSE:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                    |
| <b>No comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                    |
| <b>No objection</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                    |
| <b>Recommend Refusal</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                    |
| <b>Holding Objection - Further information required</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                    |
| <b>Condition recommended</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | ✓                                                                  |
| <b>Informative recommended</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | ✓                                                                  |
| <b>REASON FOR RECOMMENDATION PROVIDED:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                    |
| <ul style="list-style-type: none"> <li>The provided Provisional Roost Assessment (PRA) carried out by Ridgeway Ecology (April 2024) is acceptable, and no further surveys are required.</li> <li>Whilst the application will not require the completion of a statutory Biodiversity Net Gain (BNG) metric, the NPPF requires all applications to demonstrate measurable net gains in biodiversity.</li> <li>In order to achieve this, the applicant should provide a biodiversity enhancement scheme prior to development. This should include the one integrated/woodcrete bat box on the south-east or south-west of the proposed buildings as per section 5 of the PRA. The scheme should also include, but is not limited to, at least two integrated/woodcrete bird boxes, and a suitable native planting scheme.</li> <li>Furthermore, as the proposed development includes the removal of a large amount of vegetation that is suitable for bird nesting, clearance should take place outside of nesting season.</li> <li>As such, the below Informative and Condition should be attached to any permission.</li> </ul> |                                                                    |

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| <b>BIODIVERSITY NET GAIN (BNG) specific comments:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <ul style="list-style-type: none"> <li>N/A</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>FURTHER INFORMATION REQUIRED:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <ul style="list-style-type: none"> <li>N/A</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>AMENDMENTS RECOMMENDED:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <ul style="list-style-type: none"> <li>N/A</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>RECOMMENDED CONDITIONS TO BE APPLIED:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <ul style="list-style-type: none"> <li>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 one woodcrete/integrated bat box, two woodcrete/integrated bird boxes, the make/model and their locations, and a suitable native planting scheme. Any enhancement measures need to be shown on all relevant submitted plans. All works are to proceed strictly in accordance with the approved scheme.</li> </ul> |
| <b>RECOMMENDED INFORMATIVES TO BE APPLIED:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <ul style="list-style-type: none"> <li>Nesting birds are protected under the Wildlife &amp; 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.</li> </ul>                                                                                                                                                                                                                                |
| <b>RECOMMENDED SECTION 106 REQUIREMENT</b> (standard clause, contribution amount, trigger for payment)                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <ul style="list-style-type: none"> <li>N/A</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>DISCHARGE OF CONDITIONS ONLY:</b><br>(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                                                                                                                                                   |
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| NPPF Dec 2023                                                      | Paras 8, 180, 181, 185, 186, 187, 188                                                                                                                       |
| 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 reference:                                                                                                                                |
| ODPM circular 06/2005:<br>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)                              |
| Various International, European and National laws in relation to   | International and national site protection: Ramsar sites (from Ramsar Convention), Habitat and Birds Directives (Natura 2000 sites include                  |

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| the protection of species and habitats | <p>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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