

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	24/00112/FUL
ADDRESS	Cottage Farm Barr Lane Higham On The Hill Nuneaton Leicestershire CV13 6AW
DESCRIPTION OF DEVELOPMENT	Demolition of existing outbuildings and construction of a new dwelling (revised scheme of 23/00521/FUL)
PLANNING CASE OFFICER	Sullevan Archer
DEPARTMENT	ECOLOGY
PLANNING ECOLOGY OFFICER	Dale Devereaux
DATE OF COMMENTS	06/03/2024
SUMMARY RESPONSE:	
No comment	
No objection	
Refusal	
Further information required	
Condition recommended	✓
Informative recommended	✓
REASON FOR RECOMMENDATION PROVIDED:	
- Having viewed the photographs within the design statement and tree survey, as well as aerial imagery and google street-view, the garage to be demolished appears to have low suitability for roosting bats, and the tractor shed has negligible suitability due to its open structure. Therefore, it would not be proportionate to request bat surveys. - The proposed development is sited almost entirely on hard standing. Therefore, further ecological surveys are not required. - Whilst the proposed development does not meet the threshold for statutory Biodiversity Net Gain, the NPPF does require all applications to demonstrate measurable biodiversity net gain. This can be achieved through the addition of (ideally integrated) bat and bird boxes into the new building, therefore the below Condition should be attached to any permission.	
BIODIVERSITY NET GAIN (BNG) specific comments:	
N/A	

FURTHER INFORMATION REQUIRED:
N/A
AMENDMENTS RECOMMENDED:
N/A
DOCUMENTS REVIEWED:
LCC Ecology has reviewed (to be deleted as appropriate): - Aerial photography - Species and habitat data - Applicant submitted information: Site Photos, Existing and Proposed Site Elevations, Site Location Plan, Proposed Layouts
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 one woodcrete/integrated bat box, one woodcrete/integrated bird box, and two house martin nest cups, 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, building demolition should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person. The property may be suitable for roosting bats, which are protected by law from harm. It is the applicant's responsibility to ensure that bat legislation is not breached, and therefore may need to consult with a licenced bat ecologist prior to commencement to ensure that bats will not be impacted by the works. The applicant should ensure that all contractors and individuals working on the property are aware of this possibility, as works must cease if bats are found during the course of the works whilst advice from a bat ecologist is obtained. Bats are particularly associated with the roof structure of buildings, including lofts, rafters, beams, gables, eaves, soffits, flashing, ridge-tile, chimneys, the under-tile area, etc. but may also be present in crevices in stone or brickwork and in cavity walls.
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.