

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	24/00426/FUL
ADDRESS	Land Adjacent To 34 Mill Hill Road Hinckley Leicestershire LE10 0AX
DESCRIPTION OF DEVELOPMENT	Erection of one dwelling with car parking.
PLANNING CASE OFFICER	David Spring
DEPARTMENT	
	Ecology
PLANNING ECOLOGY OFFICER	
	Dale Devereaux
DATE OF COMMENTS	
	26/06/2024
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	☒
Condition recommended	
Informative recommended	
REASON FOR RECOMMENDATION PROVIDED:	
• I have reviewed the statutory small sites biodiversity metric produced by GBa&e (June 2024). • The metric shows a greater than 10% increase in biodiversity units. • However, comparing the photographic evidence provided to 2023 google street-view photographs, it is clear that the site has been cleared of vegetation prior to the survey (Shown below). • It is unlikely that this clearance has removed suitable habitat for protected or priority species. • However, as per Schedule 14, Paragraph 6 of the Environment Act 2021, the biodiversity value immediately before clearance works should be taken as the baseline value of the statutory metric. • Therefore, my holding objection remains, until the biodiversity metric is updated and I am confident that the 10% statutory net gain will be achieved.	



BIODIVERSITY NET GAIN (BNG) specific comments:

- As above.

FURTHER INFORMATION REQUIRED:

- N/A

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.