

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	24/00285/FUL
ADDRESS	Land Adjacent 2 Hangmans Lane Hinckley Leicestershire
DESCRIPTION OF DEVELOPMENT	Erection of one new dwelling and associated access and landscaping
PLANNING CASE OFFICER	Sullivan Archer
DEPARTMENT	
	Ecology
PLANNING ECOLOGY OFFICER	
	Dale Devereaux
DATE OF COMMENTS	
	18/04/2024
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	☒
Condition recommended	
Informative recommended	
REASON FOR RECOMMENDATION PROVIDED:	
- The proposed development includes the removal of a number of trees. - I can see from photographs in the Arboricultural Report (R J Tree Services Ltd, May 2016) and update letter (R J Tree Services Ltd, March 2024) that these trees have potential for roosting bats. - Therefore, a Preliminary Roost Assessment (PRA) of all trees will be required prior to determination, this will inform further surveys, if required. - Please note that ODPM Regulations require protected species surveys to be submitted prior to determination of a planning application. It is also essential that the extent that they may be affected by the proposed development is established before the planning permission is granted. Reference: Paragraph 99 of ODPM Circular 06/2005 (Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System). Therefore, any further surveys recommended within the report would need to be carried out prior to determination.	

• 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. • Suitable biodiversity enhancements and mitigation will be informed by the PRA, and a biodiversity enhancement and mitigation scheme conditioned as part of any permission.
BIODIVERSITY NET GAIN (BNG) specific comments:
• N/A
FURTHER INFORMATION REQUIRED:
• I have a holding objection pending the submission of a Preliminary Roost Assessment of all trees to be affected by the proposed development.
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.
--	---