

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinkley & Bosworth Borough Council
APPLICATION NUMBER	23/00647/FUL
ADDRESS	Oakwood School Heath Road Bagworth Heath Bagworth Nuneaton Leicestershire CV13 0NG
DESCRIPTION OF DEVELOPMENT	Proposed classroom block within woodland for SEN Education Facility
PLANNING CASE OFFICER	Joe Fleetwood
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Dean LeFeuvre
DATE OF COMMENTS	19/11/2024
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	✓
Condition recommended	
Informative recommended	
SUMMARY OF ECOLOGICAL DOCUMENTS CONSIDERED:	
Protected Species Report October 2024 The report completed by Udall-Martin Associates Ltd is satisfactory. The update site walkover for badgers was conducted on 16th September 2024 and this confirmed that no badger setts were recorded on or within 30m of the site. There was however evidence of badgers within the site through the discovery of fresh dung and precautionary mitigation measures have been recommended. With regards to great crested newts, only a Habitat Suitability Index (HSI) assessment has been conducted to date, which does not confirm the presence or absence of this species. In the absence of data, the report indicates that District Level Licencing (DLL) Scheme will be applied for as indicated within Sections 6.1.2 and 6.4.1 of the report. In accordance with Natural England guidelines, when this approach is taken over traditional survey methods, a countersigned Impact Assessment and Conservation Payment Certificate (IACPC) should be submitted as part of a planning application to ensure that the proposals are suitable and appropriate for its use. This may require a first stage conservation payment to Natural England before they can receive the countersigned IACPC.	

N/A
BIODIVERSITY NET GAIN (BNG) SPECIFIC COMMENTS:
N/A
FURTHER INFORMATION REQUIRED:
Impact Assessment and Conservation Payment Certificate (IACPC)
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
National Planning Policy Framework	Paragraphs relevant to biodiversity, biodiversity net gain, ecological connectivity and protected species
Environment Act 2021	Mandatory Net Gain Biodiversity Duty Local Nature Recovery Strategy
District or Borough Local Plan and supporting SPD's	Local Plan policy
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.

