

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	24/00127/FUL
ADDRESS	314A Station Road Bagworth Coalville Leicestershire LE67 1BN
DESCRIPTION OF DEVELOPMENT	Erection of 4 dwellings, alterations to existing dwelling and widening of access
PLANNING CASE OFFICER	David Spring
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Dale Devereaux
DATE OF COMMENTS	25/04/2024
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 updated Preliminary Ecological Appraisal (Dr Stefan Bodnar, April 2024). This report appears to be the same report as the one submitted in 2021, with some minor changes. - Whilst there are some photos which appear to prove an updated visit to the site, the bird list is exactly the same, and details such as 'two last years' swallow nests' (Chapter 3.2.2) seem to be leftover from the previous report. - The updated report still mentions a 'biodiversity metric 2.0' which is now very much out of date. - Furthermore, the report seems to entirely miss out a roost assessment and any mention of the bungalow. Although the proposed plans involve retaining this building, I am unsure why this has been missed out of the updated PEA. - I suggest the report is reviewed to ensure it is completely updated, and resubmitted. - As per my previous response, and as detailed in the PEA, a Biodiversity Net Gain (BNG) metric and plan will be required to demonstrate measurable net gain as required by the NPPF. - I have a holding objection pending the provision of this information.	

BIODIVERSITY NET GAIN (BNG) specific comments:
• A BNG metric, in excel format, along with condition assessments and pre and post-development plans should be submitted. • This will need to be completed using the most up-to-date (Statutory) metric. • As the site does not meet the requirement for statutory 10% net gain, the applicant will only need to demonstrate a minimum of 1% biodiversity net gain.
FURTHER INFORMATION REQUIRED:
• Updated PEA • BNG metric and plan to demonstrate a minimum of 1% net gain
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	International and national site protection: Ramsar sites (from Ramsar Convention), Habitat and Birds Directives (Natura 2000 sites include

the protection of species and habitats	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.
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