

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley & Bosworth Borough Council
APPLICATION NUMBER	24/01126/FUL
ADDRESS	Land South Of Charnwood Acres Markfield Road Ratby Leicester Leicestershire
DESCRIPTION OF DEVELOPMENT	Erection of 3 Shepherd huts
PLANNING CASE OFFICER	Sullivan Archer
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Kirsten Hunter
DATE OF COMMENTS	10 th January 2025
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	☒
Condition recommended	
Informative recommended	
SUMMARY OF ECOLOGICAL DOCUMENTS CONSIDERED:	
• BNG Metric; • Landscaping Plan, Drg No.240239-01-10; • Site Location Plan,Drg No. 240239-01-01; • Preliminary Ecological Appraisal; • Biodiversity Net Gain Assessment	
REASON FOR RECOMMENDATION PROVIDED:	
• With regards to great crested newts, the onsite pond has been scoped out due to presence of fish-stocking and precautionary methods of working have been advised due to removal of suboptimal terrestrial habitat (modified grassland) anticipated. However, suitable terrestrial habitat on Site has been identified (woodland) and numerous small ponds occur within 500m of the Site with a breeding population of great crested newt approximately 1km south potentially linked by suitable terrestrial habitat and these small ponds. While I agree that the modified grassland is suboptimal for great crested newts and removal of small sections in accordance with the precautionary measures suggested would be unlikely to impact great crested newts, the landscape scheme suggests a trackway will be installed within the woodland and the BNG metric indicates woodland	

will be removed to facilitate this, not retained as per the PEA assumes. As such, I would advise further survey for great crested newts through Habitat Suitability Index assessment (and eDNA in the appropriate survey window should ponds be considered favourable) for terrestrially connected ponds to safeguard this species.
BIODIVERSITY NET GAIN (BNG) specific comments:
- I have reviewed the Metric and the landscape scheme is both feasible and achieves in excess of 10% net gain. However, there appears to have been recent degradation to the Site through motorcross use which has not been accounted for within the BNG report. Further detail on this should be given. - As the proposed development lies within 10m of the Slate Brook, a River Condition Assessment may need to be carried out for inclusion within the Metric depending on the assessment of this habitat. There is no mention of whether this watercourse is a ditch or stream within the PEA, although the watercourse is mentioned as being present on Site. Should an RCA be required, it should be carried out by an appropriately accredited individual.
FURTHER INFORMATION REQUIRED:
- River Condition Assessment. - HSI and eDNA for great crested newt. - Details on habitat degradation.
AMENDMENTS RECOMMENDED:
RECOMMENDED CONDITIONS TO BE APPLIED:
RECOMMENDED INFORMATIVES TO BE APPLIED:
RECOMMENDED SECTION 106 REQUIREMENT (standard clause, contribution amount, trigger for payment)
DISCHARGE OF CONDITIONS ONLY: (Please confirm which condition(s) is/are being discharged)

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.