

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinkley and Bosworth Borough Council
APPLICATION NUMBER	24/00516/FUL
ADDRESS	12 Park Road Ratby Leicester Leicestershire LE6 0JJ
DESCRIPTION OF DEVELOPMENT	Two-storey detached dwelling
PLANNING CASE OFFICER	Sullivan Archer
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Nikki Morton
DATE OF COMMENTS	24/09/2024
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	✓
Condition recommended	
Informative recommended	
REASON FOR RECOMMENDATION PROVIDED:	
The Small Sites Metric was submitted along with a proposed planting plan. Updated plans and a updated metric has been uploaded.	
BIODIVERSITY NET GAIN (BNG) specific comments:	
- Mandatory biodiversity net gain will apply to the site. - As stated previously, the small sites metric show habitat creation (individual trees and introduced shrub) within the boundaries of the private gardens. As per the Biodiversity Net Gain user guide, the creation of other new habitats within private gardens cannot be counted as anything other than 'vegetated garden' because the management and retainment cannot be ensured. As such these elements need to be removed from the metric as only vegetated garden can be created. - In this instance unless the development can be restricted so less than 25m² of vegetation is impacted (or less than 5m of hedgerow), offsetting will be required. This will require reaching out to local offsetting providers to see if units are available to purchase, or as a last resort statutory units may be purchased. - Please can the metric be amended, and a strategy outlined for how to achieve 10% net gain.	

FURTHER INFORMATION REQUIRED:
Further information is required for Biodiversity Net Gain as outlined above.
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
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.