

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley & Bosworth Borough Council
APPLICATION NUMBER	24/00805/FUL
ADDRESS	Inglenook Farm Leicester Road Barwell Leicester Leicestershire
DESCRIPTION OF DEVELOPMENT	Erection of an indoor riding school, including associated works
PLANNING CASE OFFICER	Matt Jedruch
DEPARTMENT	
	Ecology
PLANNING ECOLOGY OFFICER	
	Kirsten Hunter
DATE OF COMMENTS	
	13 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:	
• Block Plan; • Site Location Plan; • BNG Statement; and • BNG Metric Calculation (PDF)	
REASON FOR RECOMMENDATION PROVIDED:	
• Full Excel version of Small Sites Metric (SSM) is requested for validation review. • The BNG Statement indicates that the Site meets criteria for de-minimis exception as no habitat occurs on Site. However, the SSM provided indicates this is a retrospective application and notes previous habitat occurred on Site. More detail on potential degradation of site should be given and clarification is sought as to whether this previous baseline habitat has been accounted for within the metric, or if the removal of this existing habitat was in line with the previously approved planning application. If the site does meet the de minimis threshold, no BNG compensation is required. • The SSM indicates a 1000sqm section of other neutral grassland and tree planting will be created however the photos provided suggest this is located offsite. The SSM accounts for onsite habitat only and has no offsite component – the full Statutory Metric should be	

used if offsite component is required to account for this habitat. Note that offsite compensation should be registered as offsite. • A raised strategic significance has been given for the habitats within the SSM suggesting this location is part of a named local scheme – I am unclear as to why this has been allocated. Please can more details on this be given. • The edge of the application boundary falls within a buffer zone for a great crested newt breeding pond which indicates further GCN surveys or district level licencing may be required for applications unless they are minor householder developments in managed gardens or on hardstanding. The application area lies entirely within the 250m radius for this pond. However, the proposed development is separated from the pond by a significant main road and the planning statement indicates the proposed development will be installed directly over an existing area of substrate surface. Given the context of the site as an active riding school and impacts confined to suboptimal terrestrial habitat, impacts on GCN are considered unlikely and development should follow precautionary methods of working. Precautions should include avoidance of tracking plant across habitat, ensuring all works occur within existing hardstanding on site, avoidance of storing materials on site to prevent establishment of artificial refugia and maintaining the construction area as suboptimal habitat. This can form a pre-commencement condition.
BIODIVERSITY NET GAIN (BNG) specific comments:
• See above.
FURTHER INFORMATION REQUIRED:
• Excel version of SSM for review; • Detail on degradation of habitat on site or whether habitat removal occurred as part of previously accepted application; • More detail on baseline habitat, strategic significance allocated and proposed offsite location
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.