

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	15/07/2024
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	
Condition recommended	☒
Informative recommended	☒
REASON FOR RECOMMENDATION PROVIDED:	
- The Revised PEA (Dr S. Bodnar, June 2024) is acceptable. The existing bungalow was not included in the updated survey, as alterations or removal are not proposed in this application. - I would normally expect this to be included, however, as no suitable bat roosting features were identified in the 2021 surveys, it is acceptable in this case. - The precautionary measures recommended in section 4.3 (a and b) of the PEA should be adhered to at all times. - The bird box specification in section 4.4 of the PEA only recommends boxes for hole nesting species, despite a number of swallow nests being identified on-site. - Bat and bird enhancements should include hole nesting bird boxes, bat boxes, and swallow nest cups. Swallows nest in open fronted sheds, carports or shelters - the cups cannot be fixed to eaves. Careful siting is therefore required.	

BIODIVERSITY NET GAIN (BNG) specific comments:
- The BNG metric and report (arbtech, July 2024) is acceptable, and demonstrates a net gain of 2.85% in area habitats, and 66.25% in linear habitats. - A Landscape and Ecological Management Plan (LEMP) detailing implementation, management and monitoring of habitats on-site for 30 years should be submitted prior to development.
FURTHER INFORMATION REQUIRED:
N/A
AMENDMENTS RECOMMENDED:
N/A
RECOMMENDED CONDITIONS TO BE APPLIED:
- The development hereby approved shall be implemented in strict accordance with the measures stated in section 4.3 of the Preliminary Ecological Appraisal (PEA) produced by Dr S. Bodnar (July 2024). - No development shall take place until a bat and bird enhancement scheme has been submitted to and approved in writing by the LPA. Enhancements shall include (but is not limited to) at least two woodcrete/integrated bat boxes, four woodcrete/integrated hole nesting bird boxes, and two double swallow nest cups, the make/model and their locations. Any enhancement measures need to be shown on all relevant submitted plans. All works are to proceed strictly in accordance with the approved scheme. - No development shall take place (including ground works or vegetation clearance) until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following details: A. description and evaluation of the features to be created/enhanced B. aims and objectives of management C. appropriate management options for achieving aims and objectives D. prescriptions for management actions E. work schedule F. species/seed mixes to be planted/sown G. ongoing monitoring and remedial measures The approved plan will be implemented in accordance with the approved details.
RECOMMENDED INFORMATIVES TO BE APPLIED:
Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore, building demolition and vegetation removal should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.
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 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.