

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinkley and Bosworth Borough Council
APPLICATION NUMBER	24/01158/OUT
ADDRESS	Land Off Brascote Lane Brascote Lane Newbold Verdon Leicestershire
DESCRIPTION OF DEVELOPMENT	Outline planning application for up to 135 dwellings with associated landscaping, open space, drainage infrastructure and associated works (all matters reserved except access)
PLANNING CASE OFFICER	Matt Jedruch
DEPARTMENT	
	Ecology
PLANNING ECOLOGY OFFICER	
	Nikki Morton
DATE OF COMMENTS	
	15/01/2025
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	✓
SUMMARY OF ECOLOGICAL DOCUMENTS CONSIDERED:	
<ul style="list-style-type: none"> • Biodiversity Net Gain Assessment (Tyler Grange, July 2024) • Statutory Biodiversity Metric (13 June 2024) • Ecological Impact Assessment (Tyler Grange, July 2024) • Ecology Addendum Report (Tyler Grange, October 2024) 	
REASON FOR RECOMMENDATION PROVIDED:	
<ul style="list-style-type: none"> • The reports are generally acceptable, with some minor information still outstanding before we can suggest recommended conditions / informatives. • The metric is quite hard to review in its current format, please can I be sent the Excel version. 	
PROTECTED SPECIES FURTHER INFORMATION REQUIRED:	
<ul style="list-style-type: none"> • The report states that T7 which is due for removal contains potential roosting features and requires further surveys. I cannot see details of this survey/s within the addendum therefore please can this be provided. I notice in the table T7 is categorised as PRF-I, I think it would be challenging to categorically say the features are only suitable for a small number of bats without further inspection. As this relates to site access this information is required prior to determination. 	

<ul style="list-style-type: none"> Please note that ODPM Regulations require protected species surveys to be submitted prior to determination of a planning application. It is also essential that the extent that they may be affected by the proposed development is established before the planning permission is granted. Reference: Paragraph 99 of ODPM Circular 06/2005 (Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System). Therefore, any further surveys recommended within the report would need to be carried out prior to determination. 	
BIODIVERSITY NET GAIN (BNG)	
FURTHER INFORMATION IS REQUIRED REGARDING:	
Incomplete or incorrect cells in the statutory metric	
Incomplete or incorrect UK Hab or condition assessment information	
Final pre-development habitat value	
How post-development BNG land will be secured for 30 years	✓
Description of irreplaceable habitat	
Description of degradation	
BIODIVERSITY NET GAIN (BNG) SPECIFIC COMMENTS:	
<ul style="list-style-type: none"> Mandatory biodiversity net gain applies to the development. Please can the excel version of the metric be sent to me so it can be sufficiently reviewed. As the habitats are showing a net loss, we require to know whether the offsite BNG will be secured by applicant owned land or by an external provider. This is so the route for legally securing the land is understood at determination. 	
DATE PROVIDED ON STATUTORY METRIC ONCE REVIEWED AND AGREED (for decision notice purposes):	TBC
ANY RECOMMENDED CONDITIONS TO BE APPLIED:	
<ul style="list-style-type: none"> N/A 	
ANY RECOMMENDED INFORMATIVES TO BE APPLIED:	
<ul style="list-style-type: none"> N/A 	
DISCHARGE OF CONDITIONS ONLY:	
(Please confirm which condition(s) is/are being discharged)	
<ul style="list-style-type: none"> 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
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.