

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley & Bosworth Borough Council
APPLICATION NUMBER	24/00551/FUL
ADDRESS	Pond Barn Cold Comfort Farm Rogues Lane Hinckley Leicestershire
DESCRIPTION OF DEVELOPMENT	Change of use and conversion of existing redundant rural building to a single family dwelling house, landscaping and associated works (Self-build)
PLANNING CASE OFFICER	Sullivan Archer
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Nikki Morton
DATE OF COMMENTS	20/07/2024
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	
Condition recommended	✓
Informative recommended	✓
REASON FOR RECOMMENDATION PROVIDED:	
I have reviewed the Preliminary Ecological Appraisal produced by Archer Ecology (July 2023). The report did not identify any protected species or valuable habitats on site therefore I have no objections to the development.	
BIODIVERSITY NET GAIN (BNG) specific comments:	
The site is exempt from mandatory biodiversity net gain due to being a self-build property. Measurable biodiversity net gain still needs to be provided as per the NPPF requirements.	
FURTHER INFORMATION REQUIRED:	
N/A	
AMENDMENTS RECOMMENDED:	
N/A	
RECOMMENDED CONDITIONS TO BE APPLIED:	
Prior to the commencement of the development, a Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to and approved in writing by the local	

planning authority. The BEMP shall be accompanied by the Statutory Biodiversity Net Gain Metric and shall demonstrate measurable biodiversity net gain. The plan shall include: A) description, evaluation and location of the ecological features and biodiversity enhancement measures to be created and managed B) ecological trends and constraints on site that might influence management C) aims and objectives of biodiversity enhancements and their management including for protected species D) appropriate management options for achieving the aims and objectives of the project E) prescriptions for management actions F) preparation of a work schedule G) details of the body or organisation responsible for implementation of the plan H) on-going monitoring and remedial measures The development shall be implemented in accordance with the approved BEMP.
RECOMMENDED INFORMATIVES TO BE APPLIED:
Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore all removal of trees/shrubs/hedges and major building works 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
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	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,

habitats	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.
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