

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley & Bosworth Borough Council
APPLICATION NUMBER	24/01108/FUL
ADDRESS	The Old Barn Drayton Lane Fenny Drayton Nuneaton Leicestershire
DESCRIPTION OF DEVELOPMENT	Erection of agricultural building
PLANNING CASE OFFICER	Joe Fleetwood
DEPARTMENT	
	Ecology
PLANNING ECOLOGY OFFICER	
	Kirsten Hunter
DATE OF COMMENTS	
	7 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:	
• BNG TechNote Nov 2024; • Site Location Plan -24/89 10B; • Proposed Site Plan - 24/89 07D; • Existing Site Plan - 24/89 06; and • BNG Metric	
REASON FOR RECOMMENDATION PROVIDED:	
• No preliminary ecological appraisal accompanies this planning application. However, given only a relatively short section of low quality, highly managed modified grassland will be removed and the majority of site comprises hardstanding which is suboptimal for protected and priority species, a full ecological appraisal is considered unnecessary. • Is it noted that the site lies within 100m of a pond which may have potential to support great crested newt. While the proposed development will remove a portion of grassland, the BNG Technical note indicates this is regularly mowed to short sward as a lawn, therefore sub-optimal for great crested newts. As such, likelihood of impact to great crested newts is low and precautionary methods are advised to safeguard great crested newts. These should include maintaining suboptimal conditions for great crested newt	

through avoidance of storing materials on site which may provide artificial refugia, avoidance of plant tracking on habitat outside of the proposed red line boundary and maintaining the regular mowing of the lawn to short sward. It is recommended a Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity) is conditioned which should include precautionary measures of working to safeguard great crested newts and protection of retained adjacent habitat including establishment of root protection areas around retained hedgerows and trees which may overlap with the site.
BIODIVERSITY NET GAIN (BNG) specific comments:
- The BNG Metric indicates a net gain is achievable with the proposed landscape scheme. - The proposed landscape scheme is feasible with minimal low quality modified grassland being removed and proposed habitat creation improving existing habitat through habitat connectivity. - Baseline existing habitat map and post-development habitat maps are provided within the BNG Technical note.
FURTHER INFORMATION REQUIRED:
AMENDMENTS RECOMMENDED:
RECOMMENDED CONDITIONS TO BE APPLIED:
Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity)
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.