

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley & Bosworth Borough Council
APPLICATION NUMBER	24/00914/OUT
ADDRESS	Burroughs Road Recreation Ground Burroughs Road Ratby Leicester Leicestershire
DESCRIPTION OF DEVELOPMENT	Outline planning application (with all for matters reserved apart from access) for a phased mixed-use development comprising about 470 dwellings (Use Class C3) or, in the alternative, about 450 dwellings and care home/extra care facility (Use Class C2/C3). Provision of a community hub (Use Class F2); 1FE primary school (Use Class F1); and associated operations and infrastructure including but not limited to site re-profiling works, sustainable urban drainage system, public open space, landscaping, habitat creation, internal roads/routes, and upgrades to the public highway.
PLANNING CASE OFFICER	Alex Jelley
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Kirsten Hunter
DATE OF COMMENTS	6 th January 2025
SUMMARY RESPONSE:	
No comment	<input type="checkbox"/>
No objection	<input checked="" type="checkbox"/>
Recommend Refusal	<input type="checkbox"/>
Holding Objection - Further information required	<input type="checkbox"/>
Condition recommended	<input type="checkbox"/>
Informative recommended	<input type="checkbox"/>
SUMMARY OF ECOLOGICAL DOCUMENTS CONSIDERED:	
<ul style="list-style-type: none"> • Ecological Appraisal; • FW: 24/00914/OUT - Ecology details/bat report email sending via planner; • Bat report; and • Badger report 	
REASON FOR RECOMMENDATION PROVIDED:	

<ul style="list-style-type: none"> • The previous ecological comments issued by Red Kite on 28th October 2024 requested a river condition assessment should the RLB overlap the 10m riparian zone of the local watercourse, completion of the outstanding ecological surveys to best practise guidance and issuing of a Preliminary Ecological Appraisal for review. These documents have been provided. • While the bat report indicates two out of the three nighttime bat walkover surveys were conducted in suboptimal conditions, bat were recorded and adequate data was collected via static recorders. The recommendations within Section 5 of the report should be carried out to good practice guidance. • With regards to badgers, the recommendation given in the report are satisfactory. Depending on proposals for establishment of greenspace within the RLB where the badger sett was identified, further sett monitoring may be required to determine a suitable mitigation strategy to ensure badgers are safeguarded as greenspace is established. • The Site lies partially within a Swift alert zone in which any new development should follow Swifts and Planning Guidance Note.
BIODIVERSITY NET GAIN (BNG) specific comments:
<ul style="list-style-type: none"> • With regards to the feasibility of the proposed landscape plan, the approach of presenting nutrient reduction strategy regarding grassland creation in a short technical note/ letter response is satisfactory. Habitat Management and Monitoring Plan (HMMP) can be conditioned once final landscape scheme has been determined. • It has been ascertained the RLB lies outside the riparian zone, therefore a River Condition Assessment is not required.
FURTHER INFORMATION REQUIRED:
<ul style="list-style-type: none"> •
AMENDMENTS RECOMMENDED:
<ul style="list-style-type: none"> •
RECOMMENDED CONDITIONS TO BE APPLIED:
<ul style="list-style-type: none"> •
RECOMMENDED INFORMATIVES TO BE APPLIED:
<ul style="list-style-type: none"> •
RECOMMENDED SECTION 106 REQUIREMENT (standard clause, contribution amount, trigger for payment)
<ul style="list-style-type: none"> •
DISCHARGE OF CONDITIONS ONLY: (Please confirm which condition(s) is/are being discharged)
<ul style="list-style-type: none"> •

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
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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.