

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	24/00179/REM
ADDRESS	Land Opposite Spring Acre Lychgate Lane Burbage Leicestershire
DESCRIPTION OF DEVELOPMENT	Approval of Reserved Matters (Appearance, Landscaping, Layout and Scale) following Outline Approval 22/00192/OUT (Allowed under appeal APP/K2420/W/23/3321670) comprising 82 dwelling, car parking, open space, children's play area and associated infrastructure
PLANNING CASE OFFICER	Sullevan Archer
DEPARTMENT	ECOLOGY
PLANNING ECOLOGY OFFICER	Dale Devereaux
DATE OF COMMENTS	22/03/2024
SUMMARY RESPONSE:	
No comment	
No objection	
Refusal	
Holding Objection - Further information required	☒
Condition recommended	
Informative recommended	
REASON FOR RECOMMENDATION PROVIDED:	
- The native species list in the soft landscaping plan is acceptable - No updated ecology information has been provided with this application, however, as the site is largely agricultural, and a likely absence of protected species has been identified on the initial PEA (FPCR, Jan 2022), I am satisfied that updated surveys are not needed. - The BNG metric and post-development plan will need updating and submitting to batch the updated proposed landscape plan. - I have some concern over the condition of boundary hedgerow post-development, as the landscape plans show no buffer between development and the hedge. This is likely to result in a decline in condition of the hedgerow.	

BIODIVERSITY NET GAIN (BNG) specific comments:
An updated BNG metric and post-development must be submitted, this should reflect the submitted landscape plan.
FURTHER INFORMATION REQUIRED:
- Updated BNG metric and post-development plan to reflect landscape plan. - A 5m buffer from retained and planted hedges to be demonstrated in landscape plan, or decline in condition accounted for in the updated BNG metric.
AMENDMENTS RECOMMENDED:
N/A
DOCUMENTS REVIEWED:
LCC Ecology has reviewed (to be deleted as appropriate): - Aerial photography - Species and habitat data - Applicant submitted information: Soft Landscape Proposals, Proposed Planning Layout, PEA (FPCR, Jan 2022) - BNG: BNG metric, proposed habitat plan.
RECOMMENDED CONDITIONS TO BE APPLIED:
N/A
RECOMMENDED INFORMATIVES TO BE APPLIED:
N/A
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.