

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley & Bosworth Borough Council
APPLICATION NUMBER	24/00967/FUL
ADDRESS	9 Melton Street Earl Shilton Leicester Leicestershire LE9 7FP
DESCRIPTION OF DEVELOPMENT	Erection of four bed detached dwelling, following demolition of three garages
PLANNING CASE OFFICER	Joe Fleetwood
DEPARTMENT	
Ecology	
PLANNING ECOLOGY OFFICER	Helen Chambers
DATE OF COMMENTS	13 th November 2024
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	
Condition recommended	✓
Informative recommended	
SUMMARY OF ECOLOGICAL DOCUMENTS CONSIDERED:	
- Existing & Proposed Site Plan/Boundary Treatment - Biodiversity Gain Plan - Pre-Development Plan Baseline Map & Post-Development Plan Post-Development Map - BNG Metric	
REASON FOR RECOMMENDATION PROVIDED:	
We have reviewed the plans and are confident that the proposed development is unlikely to impact protected or notable species and/or habitats.	
BIODIVERSITY NET GAIN (BNG) SPECIFIC COMMENTS:	
- We agree that the development is exempt from mandatory BNG under the self-build and custom build applications. It also appears as if there would be less than 25m² of vegetated habitat lost, therefore, if it was not a self-build, it would also be exempt under the de minimis exemption (https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments). - For future applications it may be helpful knowing that the biodiversity gain plan only needs to be submitted for mandatory BNG sites and is only submitted at a condition stage.	

FURTHER INFORMATION REQUIRED:
N/A
AMENDMENTS RECOMMENDED:
N/A
RECOMMENDED CONDITIONS TO BE APPLIED:
No development shall take place until a biodiversity enhancement scheme has been submitted to and approved in writing by the LPA. Enhancements shall include (but is not limited to) the incorporation of bird and bat boxes and native planting. Any enhancement measures need to be shown on all relevant submitted plans/elevations. All works are to proceed strictly in accordance with the approved scheme.
RECOMMENDED INFORMATIVES TO BE APPLIED:
Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore all removal of trees/shrubs/hedges 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
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.
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