

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	24/00672/REM
ADDRESS	Horiba Mira Ltd Mira Drive Lindley Nuneaton Leicestershire CV10 OTT
DESCRIPTION OF DEVELOPMENT	Approval of reserved matters (Layout, Scale, Appearance and Landscaping) for Plot 44, within Zone 3 of the outline planning permission 11/00360/OUT and 14/00661/CONDIT
PLANNING CASE OFFICER	Matt Jedruch
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Dale Devereaux
DATE OF COMMENTS	05/08/2024
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	☒
Condition recommended	
Informative recommended	
REASON FOR RECOMMENDATION PROVIDED:	
- The Landscape Proposals are acceptable, with a suitable native species mix for proposed hedgerows, and suitable mix of native and fruit-bearing species for tree planting. - In terms of protected species, two conditions of 14/00661/CONDIT apply: - Condition 26: - In accordance with the requirements of the submitted Environmental Assessment, no development shall commence, with the exception of the A5 highways improvements until such time as a further survey for badgers within the application site relevant to the phase of development and a scheme of any necessary arising mitigation and or compensation has been submitted to an agreed in writing by the Local Planning Authority. The approved details and any mitigation shall be fully implemented before the commencement of any relevant development phase. - Condition 27:	

○ In accordance with the requirements of the submitted Environmental Assessment, with the exception of the A5 highways improvements, no development shall commence until such time as method statement detailing measures to prevent harm to Great Crested Newts, provision of new habitat and reinstatement of previous habitat relating to that phase of development has been submitted to an agreed in writing by the Local Planning Authority. The method statement and any mitigation shall be fully implemented before the commencement of any relevant development phase. ○ Condition 34 (Bats) is not applicable, as the distance of this phase to the identified confirmed bat roosts at Lindley Grange is suitable to avoid any disturbance. • No updated ecological surveys have been submitted with this application. • The most recent badger survey produced by Middlemarch in April 2022 did not cover this area. • The most recent Great Crested Newt (GCN) survey covering the adjacent pond found a medium population of GCN. It was produced by Middlemarch in August 2021 and so is now out of date. • The updated survey will inform a mitigation plan and GCN licence required for this development. • I have a holding objection pending this information.
BIODIVERSITY NET GAIN (BNG) specific comments:
• N/A
FURTHER INFORMATION REQUIRED:
• N/A
AMENDMENTS RECOMMENDED:
• N/A
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
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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.