

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	24/00264/OUT
ADDRESS	Land North Of Normandy Way Hinckley Leicestershire
DESCRIPTION OF DEVELOPMENT	Outline planning permission for the erection of up to 415 dwellings, including landscaping, open spaces, drainage and associated infrastructure (outline - access only)
PLANNING CASE OFFICER	Alex Jelley
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Dale Devereaux
DATE OF COMMENTS	20/09/2024
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	
Condition recommended	✓
Informative recommended	
REASON FOR RECOMMENDATION PROVIDED:	
- I have reviewed the following documents: - Ecological Impact Assessment (Zebra Ecology, January 2024) - Breeding Bird Survey (BLADE, June 2024) - Bat Activity and Automated Survey Report (Zebra Ecology, June 2024) - All reports are acceptable, and no further surveys are required prior to determination. - As badgers are present on an adjacent site, and they are a highly mobile species, an updated badger walkover survey should be conducted within 6 months of the start of development. - In order to reduce impacts on protected species during the construction phase, a Construction Environment Management Plan for Biodiversity will be required prior to development. - A Landscape and Ecological Management Plan will be required to detail the management of habitats and protected species enhancements for a period of 30 years.	

BIODIVERSITY NET GAIN (BNG) specific comments:
- As per previous comments, the BNG metric and Plan are acceptable. 20.81 Habitat Units, and 0.53 Watercourse Units will be purchased off-site from a suitable habitat bank. - The mandatory BNG condition is applicable.
FURTHER INFORMATION REQUIRED:
N/A
AMENDMENTS RECOMMENDED:
N/A
RECOMMENDED CONDITIONS TO BE APPLIED:
- No development shall take place (including ground works or vegetation clearance) until an updated badger survey has been submitted to and approved in writing by the Local Planning Authority. This survey is to be carried out within 6 months of the likely commencement of works on site. It is to include details on mitigation measures for badgers if necessary (such as badger gates). All works are to proceed strictly in accordance with the approved document. - No development shall take place (including ground works or vegetation clearance) until a Construction Environment Management Plan for biodiversity (CEMP: Biodiversity) has been submitted to and approved in writing by the LPA. The CEMP shall include the following details: A. Identification of potentially damaging construction activities B. practical measures and sensitive working practices to avoid or reduce impacts during construction on protected species. C. timing of works to avoid harm to nesting birds D. responsible persons for overseeing sensitive works E. use of protective fencing where required The approved CEMP shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the LPA. - No development shall take place (including ground works or vegetation clearance) until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following details: A. description and evaluation of the features to be created/enhanced B. aims and objectives of management C. appropriate management options for achieving aims and objectives D. prescriptions for management actions E. work schedule F. species/seed mixes to be planted/sown G. ongoing monitoring and remedial measures The approved plan will be implemented in accordance with the approved details.
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.