

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	24/00302/FUL
ADDRESS	East Brook Farm Broad Lane Stanton Under Bardon Markfield Leicestershire LE67 9TB
DESCRIPTION OF DEVELOPMENT	Demolition of existing farm building, relocation and construction of replacement farm building
PLANNING CASE OFFICER	Joseph Fleetwood HBBC
DEPARTMENT	
Ecology	
PLANNING ECOLOGY OFFICER	Dale Devereaux
DATE OF COMMENTS	26/05/2024
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	
Condition recommended	
Informative recommended	
REASON FOR RECOMMENDATION PROVIDED:	
• The proposed development involves the replacement of a mixture of sheet metal and timber barns with a single purpose built open-fronted barn. • The application is exempt from statutory biodiversity net gain, as it is not a major application, and was submitted before the small sites metric was introduced on the 2nd of April. • The proposed development is sited on grazed agricultural land, and all trees and hedgerows are retained and protected, therefore the impact on local biodiversity will be negligible. • The existing barns are likely unsuitable for bat roosts due to their structure, but provide suitable habitat for nesting birds such as barn swallow. • However the new building will provide suitable habitat, resulting in no loss of nesting habitat overall, therefore no surveys or mitigation is required. • It is important that the demolition of the existing buildings takes place outside of nesting season, or is thoroughly checked by a suitably qualified person beforehand. As such, the below Informative should be attached to any permission.	

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:
Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore, building demolition and significant alteration 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
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.

