

**CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:**
**ECOLOGY AND BIODIVERSITY PLANNING ADVICE**

<b>DISTRICT OR BOROUGH</b>	Blaby District Council	
<b>APPLICATION NUMBER</b>	24/0056/FUL	
<b>ADDRESS</b>	The Old House Stamford Road Kirby Muxloe Leicester Leicestershire LE9 2ER	
<b>DESCRIPTION OF DEVELOPMENT</b>	Erection of x1 no. detached dwelling with garage and associated access on land adjacent to The Old House (Re-submission of 17/0700/FUL)	
<b>PLANNING CASE OFFICER</b>	Lloyd Bird	
<b>DEPARTMENT</b>	ECOLOGY	
<b>PLANNING ECOLOGY OFFICER</b>	Dale Devereaux	
<b>DATE OF COMMENTS</b>	26/02/2024	
<b>SUMMARY RESPONSE:</b>		
<b>No comment</b>		
<b>No objection</b>		
<b>Refusal</b>		
<b>Further information required</b>		
<b>Condition recommended</b>		
<b>Informative recommended</b>		✓
<b>REASON FOR RECOMMENDATION PROVIDED:</b>		
<ul style="list-style-type: none"> <li>The proposed development is located in an existing garden with limited ecological value; therefore, ecology surveys will not be required.</li> <li>The application did not include the proposed planting schedule, though if it is the same as the previous application then I am satisfied that there will be no net loss of biodiversity – Although I would prefer to see some, if not all, of the Beech hedge replaced with a native hedge mix instead.</li> <li>As some trees are to be removed, the below Informatives should be attached to any permission.</li> </ul>		
<b>BIODIVERSITY NET GAIN (BNG) specific comments:</b>		
<ul style="list-style-type: none"> <li>N/A</li> </ul>		
<b>FURTHER INFORMATION REQUIRED:</b>		
<ul style="list-style-type: none"> <li>N/A</li> </ul>		

<b>AMENDMENTS RECOMMENDED:</b>
<ul style="list-style-type: none"> <li>N/A</li> </ul>
<b>DOCUMENTS REVIEWED:</b>
LCC Ecology has reviewed (to be deleted as appropriate): <ul style="list-style-type: none"> <li>Aerial photography</li> <li>Species and habitat data</li> <li>Applicant submitted information: Previous Application, Existing and Proposed Site Elevations, Site Location Plan, Proposed Layouts, Tree Survey</li> </ul>
<b>RECOMMENDED CONDITIONS TO BE APPLIED:</b>
<ul style="list-style-type: none"> <li>N/A</li> </ul>
<b>RECOMMENDED INFORMATIVES TO BE APPLIED:</b>
<ul style="list-style-type: none"> <li><b>Nesting birds are protected under the Wildlife &amp; Countryside Act 1981 (as amended); therefore, building demolition should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.</b></li> <li><b>All bat species are legally protected under the Wildlife &amp; Countryside Act 1981 (as amended); as such, trees to be removed will require inspection for suitable features that could be used by roosting bats prior to felling. This can be carried out by the arborist completing the works, however if suitable roosting features are identified, evidence of bats, or indeed live bats are found, works should cease, and advice obtained from a licenced bat ecologist.</b></li> </ul>
<b>RECOMMENDED SECTION 106 REQUIREMENT</b> (standard clause, contribution amount, trigger for payment)
<ul style="list-style-type: none"> <li>N/A</li> </ul>
<b>DISCHARGE OF CONDITIONS ONLY:</b> (Please confirm which condition(s) is/are being discharged)
<ul style="list-style-type: none"> <li>N/A</li> </ul>

**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: Policy NE3 of the Warwick District Local Plan (applies for WDC delete if not appropriate)
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.