

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley & Bosworth Borough Council
APPLICATION NUMBER	25/00063/FUL
ADDRESS	Erection of a dormer bungalow
DESCRIPTION OF DEVELOPMENT	Land Adjoining 81 Hinckley Road Earl Shilton Leicester Leicestershire
PLANNING CASE OFFICER	Sullivan Archer
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Kirsten Hunter
DATE OF COMMENTS	11 th March 2025
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	✓
Condition recommended	
Informative recommended	
SUMMARY OF ECOLOGICAL DOCUMENTS CONSIDERED:	
• Proposed and Existing Site Location Plans; • Proposed and Existing Site Block Plan; and • BNG small sites metric	
REASON FOR RECOMMENDATION PROVIDED:	
• The existing site plan indicates a garage and shed are present on Site with both scheduled for demolition to facilitate the development. These structures should be subjected to a breeding bird check and Preliminary Roost Assessment for bats by an appropriately bat-licenced ecologist to fully evaluation potential impacts on bats. Any follow-up presence/absence surveys should be completed and submitted prior to determination. • Photographs are missing from the small sites metric provided – these should be included with appropriate notes in order to validate the metric. • The proposed site plans include a rain garden with target condition set to ‘good’ which enables the proposed plan to achieve above 10% BNG. However, as this habitat appears included within a private garden setting, I question whether this is feasible. • Usually, habitats created within a private garden cannot be legally secured for 30 years therefore cannot count individually towards a BNG score (ie the ‘rain garden’ would be	

included within the 'vegetated garden' area which would produce a lower BNG score and require the need for offsite compensation/habitat bank credits to fulfil mandatory 10% BNG). As such, evidence that this habitat will be legally secured for 30 years may need to be provided. Otherwise, at the LPA's discretion, target condition of the created habitat could be reduced to reflect the garden setting or redefined as 'vegetated garden' and further BNG sought offsite to address the deficit.	
BIODIVERSITY NET GAIN (BNG) ESSENTIAL QUESTIONS:	
Is there irreplaceable habitat present?	X
Is there habitat degradation present?	X
Is there applicant-owned off-site or significant onsite BNG required to be secured and monitored for 30 years?	See above
If significant habitat is present, please list using the PPG definitions : N/A	
Are there any remaining BNG units which need to be provided outside of applicant owned land? eg. purchased through the government register as BNG units or statutory credits (PLEASE NOTE: this is indicative only and confirmed at condition discharge stage)	See above
BIODIVERSITY NET GAIN (BNG) BASELINE PRE-DEVELOPMENT VALUE:	
Is further information required before agreement of baseline pre-development value ?	✓
Are there incomplete or incorrect cells in the Statutory Metric?	X
Is there incomplete or incorrect habitat information (quantity, type, condition)?	✓ - photos required
DATE PROVIDED FOR STATUTORY METRIC WHERE THIS HAS BEEN REVIEWED AND AGREED (for decision notice purposes):	
ANY RECOMMENDED CONDITIONS TO BE APPLIED:	
- Habitat Management and Monitoring Plan (HMMP) - Biodiversity Net Gain Plan	
ANY RECOMMENDED INFORMATIVES TO BE APPLIED:	
IN THE CASE OF DISCHARGE OF CONDITIONS ONLY:	
(Please confirm which condition(s) is/are being discharged)	

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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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.