

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	25/00648/HOU
ADDRESS	5 Wensleydale Close Barwell Leicester Leicestershire LE9 8EU
DESCRIPTION OF DEVELOPMENT	Erection of a double garage
PLANNING CASE OFFICER	Zahra Jam-Rotbeh
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Olivia Larter
DATE OF COMMENTS	6 August 2025
ECOLOGICAL DOCUMENTS REVIEWED:	
None supplied	
SUMMARY RECOMMENDATION:	
No comment	☐
No objection (for recommended conditions or informatives- see below)	☒
Recommend Refusal	☐
Holding Objection - Further information required	☐
REASON FOR RECOMMENDATION:	
- We have reviewed the documents supplied by the applicant and we are satisfied that there is sufficient ecological information available for determination of this application. Protected, Priority and threatened species - Although no ecological information has been supplied in relation to relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation, we have carried out a desktop study to help assess this, and the site and immediate surrounding area consists of hardstanding offering limited ecological value. The existing garage building adjacent to the site which could be impacted by the proposed development is constructed of corrugated steel roof which offers negligible suitability to bats. - However, due to local records of bat roosts and the wider landscape to the east and south of the site offering suitability for foraging and commuting bats, we recommend that an informative for bats is applied to minimise any residual risk during construction.	

Biodiversity Net Gain (BNG) - With regard to mandatory biodiversity net gains, it is highlighted that we have reviewed the submitted application form. Applications are required to deliver a mandatory 10% measurable biodiversity net gain, unless exempt under paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024. - This application satisfies the definition of a self-build and custom build application as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015 (as amended), as it consists exclusively of a single dwelling and is to be built on a site area no larger than 0.5 hectares. Therefore, we are satisfied that this application can be described as 'below the threshold' and is exempt from the statutory requirement of mandatory biodiversity net gains, which requires developers to identify and pursue opportunities for securing a measurable biodiversity net gain, equivalent to a 10%. A condition or legal obligation may be imposed by the council to ensure that the development is used as a self-build and custom housebuilding. - However, reasonable biodiversity enhancement measures should be detailed within a separate Biodiversity Enhancement Strategy and secured by a condition of any consent. This is necessary to provide net gains for protected, Priority and threatened species in line with paragraph 187d of the NPPF.	
ANY RECOMMENDED CONDITIONS TO BE APPLIED:	
1. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT LAYOUT <i>"A Biodiversity Enhancement Layout for enhancements for protected, Priority and threatened species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Layout shall include the following:</i> <i>a) detailed designs or product descriptions for biodiversity enhancements; and</i> <i>b) locations, orientations and heights for biodiversity enhancements on appropriate drawings.</i> <i>The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter."</i> Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended).	
ANY RECOMMENDED INFORMATIVES TO BE APPLIED:	
1. PRECAUTIONARY MEASURES FOR BATS <i>Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately, and a suitably qualified ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant. If a bat is found during the works, the ecological consultant or National Bat Helpline should be contacted for advice on: 0345 1300 228.</i>	
IN THE CASE OF DISCHARGE OF CONDITIONS ONLY: (Please confirm which condition(s) is/are being discharged)	
N/A	
BIODIVERSITY NET GAIN (BNG) SECTION	
HAVE MINIMUM NATIONAL INFORMATION REQUIREMENTS BEEN PROVIDED (PPG paragraph 11):	
Confirmation that development is subject to statutory biodiversity gain condition	Exempt

Note for applicants: Please be aware that this advice is provided to the Local Planning Authority through a Service Level Agreement between the Local Planning Authority and Leicestershire

County Council Ecology Team. Its purpose is to discharge the legal duties of the determining authority under The Local Authorities (Functions and Responsibilities) Regulations (2000), Regulations 4.

If you have any queries about the content, 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 to the determining authority.

The following legislation is used to assist in the assessment of planning applications:

Legislation source	Reference
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.