

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

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	25/00374/OUT
ADDRESS	Land Adjacent Home Farm Bradgate Hill Groby Leicestershire
DESCRIPTION OF DEVELOPMENT	Erection of two custom-build dwellings (outline application with all matters reserved except landscaping and access)
PLANNING CASE OFFICER	Matt Jedruch
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Olivia Larter
DATE OF COMMENTS	17 October 2025

ECOLOGICAL DOCUMENTS REVIEWED:

- **Ground Level Tree Assessment (Wildlife Consultants Limited, August 2025)**
- **Ecological Appraisal (Wildlife Consultants Limited, March 2025)**
- **Detailed Landscape Proposals (ISL Associates, February 2025)**

SUMMARY RECOMMENDATION:

No comment	<input type="checkbox"/>
No objection (for recommended conditions or informatics- see below)	<input checked="" type="checkbox"/>
Recommend Refusal	<input type="checkbox"/>
Holding Objection - Further information required	<input type="checkbox"/>

REASON FOR RECOMMENDATION:

- We have reviewed the additional submitted ecological information relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures and we are now satisfied that there is sufficient information available to support determination of this application.

Protected and Priority species

- We note that the site has been cleared of vegetation and there are no trees present on site and none of the boundary trees offered potential roosting features for bats (Ground Level Tree Assessment, Wildlife Consultants Limited August 2025). However, the site does offer foraging and commuting potential, therefore any new lighting associated with the development should be included within a sensitive lighting strategy for bats following guidance note GN08/23 (Institute of Lighting Professionals) and submitted to the LPA for approval as a condition of any consent.
- The mitigation measures identified in the Ecological Appraisal (Wildlife Consultants Limited, March 2025) and the Ground Level Tree Assessment (Wildlife Consultants Limited, August

2025) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality.

Mandatory Biodiversity Net Gain (BNG)

- 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. As a result, we have reviewed the application and are satisfied that this application is exempt, as the proposals is for one self-build dwelling for an area less 0.5 ha. A condition may be considered necessary to be imposed by the council to ensure that the development must be occupied by a person or persons who had a primary input into the design and layout of the dwelling and who will live in the dwelling for at least 3 years.
- We support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended in the Ecological Appraisal (Wildlife Consultants Limited, March 2025) to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Strategy and should be secured by a condition of any consent. The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Strategy and should be secured by a condition of any consent.

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

"All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Appraisal (Wildlife Consultants Limited, March 2025) and the Ground Level Tree Assessment (Wildlife Consultants Limited, August 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details."

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

2. PRIOR TO OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

"Prior to occupation, a "lighting design strategy for biodiversity" in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and*
- b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.*

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority."

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

3. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT LAYOUT

"A Biodiversity Enhancement Layout for biodiversity enhancements listed in the Ecological Appraisal (Wildlife Consultants Limited, March 2025) report shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Layout shall include the following:

- a) detailed designs or product descriptions for biodiversity enhancements; and
- b) locations, orientations and heights for biodiversity enhancements on appropriate drawings.

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."

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:

- N/A

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
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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.