

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	25/00626/HOU (Reconsultation)
ADDRESS	16 Tower Road Earl Shilton Leicester Leicestershire LE9 7EG
DESCRIPTION OF DEVELOPMENT	Erection of a rear single and two storey extension.
PLANNING CASE OFFICER	Zahra Jam-Rotbeh
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Olivia Larter
DATE OF COMMENTS	26 September 2025
ECOLOGICAL DOCUMENTS REVIEWED:	
• Photographs of the existing roof structure	
SUMMARY RECOMMENDATION:	
No comment	☐
No objection (for recommended conditions or informatives- see below)	☐
Recommend Refusal	☐
Holding Objection - Further information required (European Protected Species – Bats)	☒
REASON FOR RECOMMENDATION:	
• We have reviewed the additional information supplied by the applicant and we are not satisfied that there is sufficient ecological information available for determination of this application. • We note that photographs of the existing roof tiles and internal lost space have been provided by the applicant. From assessing these, the main part of the roof consisting of flat roof tiles look to be in good condition and there are no obvious gaps which may offer potential roosting places for bats; however, we note the presence of potential gaps around the hip and ridge tiles. The condition of the fascia and soffits is not clear from the images provided, and no information relating to the rear of the property and single storey roof have been provided, which will be most heavily impacted by the proposed development. • Therefore, we recommend that a Preliminary Roost Assessment (PRA) is conducted by a suitably qualified Ecologist on the existing structure which will be impacted by the proposed development to help provide certainty on the likely impacts of the development to roosting bats which may be using the building.	

- This information is required prior to determination because Government Standing Advice indicates that you should *“Survey for bats if the area includes buildings or other structures that bats tend to use or there are trees with features that bats tend to use nearby”*.
- In addition, Paragraph 99 of the ODPM Circular 06/2005 highlights that: *“It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.”*
- This information is therefore required to provide the LPA with certainty of likely impacts on legally protected species and be able to secure appropriate mitigation either by a mitigation licence from Natural England or a condition of any consent. This will enable the LPA to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006 (as amended) and prevent wildlife crime under s17 Crime and Disorder Act 1998.
- Furthermore, the Local Planning Authority, as a competent authority, should have regard to the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended) when reaching planning decisions and must not leave this until the licence application stage. Therefore, if a European Protected Species Mitigation Licence is required for this application, appropriate mitigation measures to support the provision of the licence must also be outlined prior to determination to allow certainty to the LPA that a licence will likely be granted.

Additional Comments – 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.
- We are satisfied that the submitted documents provide sufficient information that the development meets the Householder exemption. As a result, we are satisfied that the development is exempt from the statutory requirement of mandatory biodiversity net gains.
- 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 Priority and threatened species in line with paragraph 187d of the NPPF.

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

- N/A

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.