

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council	
APPLICATION NUMBER	25/00189/FUL	
ADDRESS	229 Leicester Road Field Head Markfield Leicestershire LE67 9RH	
DESCRIPTION OF DEVELOPMENT	New dwelling and access	
PLANNING CASE OFFICER	Ashleigh Gade	
DEPARTMENT	Ecology	
PLANNING ECOLOGY OFFICER	Olivia Larter	
DATE OF COMMENTS	16 June 2025	
ECOLOGICAL DOCUMENTS:		
• Site Location Plan - 229/2024 2/5 (AMLI Design, February 2025) • Biodiversity Net Gain Statement (Croft Ecology, April 2025) • Biodiversity Net Gain Metric (Croft Ecology, April 2025) • Biodiversity Gain Plan		
SUMMARY RECOMMENDATION:		
No comment		☐
No objection (for recommended conditions or informatives- see below)		☐
Recommend Refusal		☐
Holding Objection - Further information required on European Protected Species - bats		☒
REASON FOR RECOMMENDATION:		
Protected and Priority Species • We have reviewed the above documents supplied by the applicant. • We are not satisfied that there is sufficient ecological information available for determination of this application; no ecological information has been submitted in relation to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation. • We have therefore conducted a desktop study including aerial imagery and local species records to help assess this. • As a result, we require further information in the form of a Preliminary Ecological Appraisal (PEA) for the site, particularly in relation to bats, European Protected Species. This is required prior to determination because Government Standing Advice indicates that you should <i>"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"</i>.		

- We note that two trees and the garage building are proposed for removal which may offer suitability for roosting bats, particularly the building, which is of brick and tile construction, whilst there are also local records of bat roosts which are well connected to the site by the vegetated boundary to the north. - It is also anticipated that the vegetated garden area where the new dwelling and access is proposed may offer potential to support mobile species. - A Preliminary Ecological Appraisal (PEA) is required prior to determination because paragraph 99 of the ODPM Circular 06/2005 highlights that: <i>"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."</i>	
Additional Comments - Biodiversity Net Gain	
We support the above submitted information in relation to mandatory Biodiversity Net Gain. Biodiversity net gains is a statutory requirement set out under Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990 and we are satisfied that submitted information provides sufficient information at application stage.	
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	
MINIMUM NATIONAL INFORMATION REQUIREMENTS PROVIDED (PPG paragraph 11):	
Confirmation that development is subject to biodiversity gain condition	Yes
Pre-development habitat value (on date of application or earlier)	Yes
Reason for proposing an earlier date (if applicable)	N/A
Completed metric calculation tool	Yes
Statement of habitat degradation where present (with dates and details)	N/A
Description of irreplaceable habitat where present	N/A
Plan of onsite habitat pre-development (to scale)	Yes
<u>SMALL SITES METRIC ONLY:</u> "Competent person" information (ie. qualifications, skills, experience)	N/A
BNG METRIC INFORMATION missing or incorrect:	
Incomplete or incorrect cells are shown in metric (eg. strategic significance, habitat quantity, type or condition)	No
SIGNIFICANT ON-SITE ENHANCEMENT REQUIRED: (using the current government definition ¹)	
med/high distinctiveness	No
large number of units at low distinctiveness	No
significant in increase in distinctiveness, condition or area	No
BNG ADDITIONAL INFORMATION:	

¹ <https://www.gov.uk/guidance/make-on-site-biodiversity-gains-as-a-developer#significant-on-site-enhancements>

Applicant-owned off-site or significant onsite BNG is present, to be secured and monitored for 30 years	No
BNG units likely need to be provided to achieve 10% BNG uplift (purchased units or statutory credits) PLEASE NOTE: this is indicative only , confirmed at Biodiversity Gain Plan condition stage	Yes

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 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.