

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

<b>COUNTY, DISTRICT OR BOROUGH</b>	Hinckley and Bosworth Borough Council
<b>APPLICATION NUMBER</b>	25/00803/FUL
<b>ADDRESS</b>	Land Adjacent 3 Peckleton Lane Desford Leicestershire
<b>DESCRIPTION OF DEVELOPMENT</b>	Erection of a self-build dwelling, demolition of existing garages and alteration of parking arrangements
<b>PLANNING CASE OFFICER</b>	Sullevan Archer
<b>DEPARTMENT</b>	Ecology
<b>PLANNING ECOLOGY OFFICER</b>	Olivia Larter
<b>DATE OF COMMENTS</b>	24 October 2025
<b>ECOLOGICAL DOCUMENTS REVIEWED:</b>	
<ul style="list-style-type: none"><li>None supplied</li></ul>	
<b>SUMMARY RECOMMENDATION:</b>	
No comment	<input type="checkbox"/>
No objection (for recommended conditions or informatics- see below)	<input type="checkbox"/>
Recommend Refusal	<input type="checkbox"/>
Holding Objection - Further information required (European Protected Species – Bats)	<input checked="" type="checkbox"/>
<b>REASON FOR RECOMMENDATION:</b>	
<ul style="list-style-type: none"><li>We have reviewed the documents supplied by the applicant and we are not satisfied that there is sufficient ecological information available for determination of this application.</li><li>No ecological information has been supplied in relation to relating to the likely impacts of development on designated sites, protected &amp; Priority species and habitats and identification of proportionate mitigation. Therefore, we have undertaken a desktop study using local records (accessed under licence) and aerial imagery (Google Earth) to help assess this.</li><li>The proposals involve the demolition of the existing garage structure which has not been assessed for its suitability to support roosting bats, whilst the proposed development may also cause impact to the vegetated boundary/tree line to the northeast of the site which may offer suitability for bats.</li><li>We note that due to the location of the site in a predominately built-up residential area, the trees on site are unlikely to provide important foraging and commuting habitat, however the wider landscape offers suitable habitat.</li><li>A Preliminary Roost Assessment (PRA) and Ground Level Tree Assessment (GLTA) is required on the existing garage structure and any trees on site which are likely to be</li></ul>	

impacted by the proposed development to allow for certainty on the likely impacts of the development to roosting bats. The PRA can be undertaken at any time of year and the GLTA should be completed between October and March when tree canopies do not obscure any potential roost features.

- 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.
- 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.
- 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**

<b>HAVE MINIMUM NATIONAL INFORMATION REQUIREMENTS BEEN PROVIDED (PPG paragraph 11):</b>	
<b>Confirmation</b> 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:**

<b>Legislation source</b>	<b>Reference</b>
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.