



CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

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| COUNTY, DISTRICT OR BOROUGH | Hinckley and Bosworth Borough Council |
| APPLICATION NUMBER | 25/00242/FUL |
| ADDRESS | 2 Peckleton Road Kirkby Mallory Leicester Leicestershire LE9 7QH |
| DESCRIPTION OF DEVELOPMENT | Demolition of existing bungalow and the erection of a replacement (self build) dwelling with garage, new boundary wall and gates |
| PLANNING CASE OFFICER | Matt Jedruch |
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| DEPARTMENT | Ecology |
| PLANNING ECOLOGY OFFICER | Charlotte Smith |
| DATE OF COMMENTS | 27 May 2025 |
| ECOLOGICAL DOCUMENTS: | |
| • Bat Presence-Absence Survey (Midland Ecology August 2023) | |
| 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: | |
| <ul style="list-style-type: none">• We have reviewed the Bat Presence-Absence Survey (Midland Ecology August 2023) relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures and mandatory Biodiversity Net Gain.• We have also reviewed the information submitted relating to mandatory biodiversity net gains.• We are satisfied that there is sufficient ecological information available to support determination of this application, however we recommend precautionary measures for bats due to being a mobile species..• This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.• With regard to mandatory biodiversity net gains, 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 | |

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| <p>Requirements (Exemptions) Regulations 2024. As a result, we have reviewed the submitted details 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.</p> <ul style="list-style-type: none"> • We do recommend that reasonable biodiversity enhancements for protected, Priority and threatened species should be secured to provide bespoke species enhancements 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. |
| ANY RECOMMENDED CONDITIONS TO BE APPLIED: |
| <p>1. PRIOR TO COMMENCEMENT: BAT METHOD STATEMENT</p> <p><i>"A Bat Method Statement shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to Bats during the construction phase.</i></p> <p><i>The measures and/works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter."</i></p> <p>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).</p> |
| <p>2. PRIOR TO OCCUPATION: BIODIVERSITY ENHANCEMENT STRATEGY</p> <p><i>"Prior to occupation, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist, shall be submitted to and approved in writing by the local planning authority.</i></p> <p><i>The content of the Biodiversity Enhancement Strategy shall include the following:</i></p> <ol style="list-style-type: none"> <i>a) Purpose and conservation objectives for the proposed enhancement measures;</i> <i>b) detailed designs or product descriptions to achieve stated objectives;</i> <i>c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);</i> <i>d) persons responsible for implementing the enhancement measures; and</i> <i>e) details of initial aftercare and long-term maintenance (where relevant).</i> <p><i>The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter."</i></p> <p>Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended)</p> |
| ANY RECOMMENDED INFORMATIVES TO BE APPLIED: |
| <ul style="list-style-type: none"> • N/A |
| IN THE CASE OF DISCHARGE OF CONDITIONS ONLY: |
| (Please confirm which condition(s) is/are being discharged) |
| <ul style="list-style-type: none"> • N/A |

| BIODIVERSITY NET GAIN (BNG) SECTION | |
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| MINIMUM NATIONAL INFORMATION REQUIREMENTS PROVIDED (PPG paragraph 11): | |
| Confirmation that development is subject to biodiversity gain condition | N/A |
| Pre-development habitat value (on date of application or earlier) | N/A |
| Reason for proposing an earlier date (if applicable) | N/A |
| Completed metric calculation tool | N/A |
| 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) | N/A |
| SMALL SITES METRIC ONLY: "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) | N/A |
| SIGNIFICANT ON-SITE ENHANCEMENT REQUIRED: (using the current government definition ¹) | |
| med/high distinctiveness | N/A |
| large number of units at low distinctiveness | N/A |
| significant in increase in distinctiveness, condition or area | N/A |
| BNG ADDITIONAL INFORMATION: | |
| Applicant-owned off-site or significant onsite BNG is present, to be secured and monitored for 30 years | N/A |
| BNG units likely need to be provided to achieve 10% BNG uplift (purchased units or statutory credits) | N/A |
| PLEASE NOTE: this is indicative only , confirmed at Biodiversity Gain Plan condition stage | |

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 |
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| 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 |

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

| District or Borough Local Plan and supporting SPD's | Local Plan policy |
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| 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. |