

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council	
APPLICATION NUMBER	24/01145/FUL	
ADDRESS	Land To The Rear Of Valley View Station Road Desford Leicestershire	
DESCRIPTION OF DEVELOPMENT	Erection of a bungalow	
PLANNING CASE OFFICER	Sullivan Archer	
DEPARTMENT	Ecology	
PLANNING ECOLOGY OFFICER	Richard Kelly	
DATE OF COMMENTS	03/07/2025	
SUMMARY RESPONSE:		
No comment		
No objection		
Recommend Refusal		
Holding Objection - Further information required		✓
Condition recommended		✓
Informative recommended		✓
SUMMARY OF ECOLOGICAL DOCUMENTS CONSIDERED:		
• Site Location and Block Plan • Proposed Site Plan • Preliminary Ecological Appraisal (Three Shires, May 2025) • Pre and post Development Habitat Maps • BNG Metric (28.5.25) • Biodiversity Gain Plan (17/06/2025) • Application Form		
REASON FOR RECOMMENDATION PROVIDED:		
There has been a review of the applicant submitted information and Leicestershire County Ecology comments (08/01/2025; 10/06/2025) with updated comments below. • A Preliminary Ecological Appraisal was completed by Three Shires LTD during August 2024 and updated in May 2025. The report refers to location 39a, Station Road, Desford which is accepted and key points outlined below.		

- **Hedgerow** - The hedgerow qualifies as a priority habitat and should be protected during construction and included within a Biodiversity Construction and Ecological Management Plan. **Please see recommended Conditions.**
- **GCN** – 6 ponds are present within 500m of the site, Ponds 2, 3 and 5 hold water, however pond 5 couldn't be accessed. Ponds 2 and 3 were surveyed for GCN, torching, eDNA samples and bottle trapping found no GCN present in either of these water bodies and no further surveys are required.
- Small suitable refugia were present on-site such as log piles and an upturned bathtub in addition to the modified grassland, strip of tall forbs, hedgerow, gravel and rocks the site does provide suitable terrestrial habitat and potential refugia for GCN. Prior to removal a suitably qualified ecologist will need to conduct a fingertip search and move any amphibians present.
- A Precautionary Working Method Statement (PMWS) is recommended within the recommendations of the report including a two-stage cut of vegetation and arisings removed from the area. This is to be included within the Biodiversity Construction and Ecological Management Plan. **Please see recommended Conditions.**
- **Bats** – 6 buildings have been assessed for the bat roost potential and classed as negligible/low suitability for roosting bats which is accepted. They are mostly of wooden or metal construction, open to the elements, well illuminated and have no roof voids. However, the buildings will require an inspection by a suitably qualified ecologist immediately prior to demolition. Please see recommended Informatives.
- A mature Ash tree 5m to the southeast of the boundary has a single PRF for an individual bat. Due to its upwards aspect exposing it to rain, the PRF is classed as having negligible suitability and no further surveys required.
- Bat boxes are being recommended to be installed within the landscaping of the new development as per the ecology report. This is welcomed and accepted, **please see recommended Conditions.**
- **Birds** – the line of trees, bramble scrub and native hedgerow could provide potential for nesting birds.
- B3 – has evidence of nesting swallows with three nests and droppings present.
- An owl box 5m southeast of the site boundary offers potential roosting for barn owl.
- Any vegetation removal should take place outside the bird nesting season which runs from March to August inclusive. If this is not possible then a nesting bird check will be required, no later than 24 hours prior to removal by a suitably qualified ecologist. **Please see recommended Conditions.**
- It is also recommended that the installation of 3 x swallow and house martin nest boxes are installed within the new development as replacement for the nests lost. **Please see recommended Conditions.**
- **Reptiles** – 3 bags of decomposing grass cuttings are situated along the treeline providing a suitable breeding site for slow worm and grass snake. A Precautionary Working Method Statement (PMWS) should be employed and included within the Biodiversity Construction and Ecological Management Plan. **Please see recommended Conditions.**
- **Hedgehog** – the bramble scrub and hedgerow offer suitable foraging and hibernacula for hedgehog in addition the to decomposing grass cuttings. A Precautionary Working Method Statement (PMWS) should be employed and included within the Biodiversity Construction and Ecological Management Plan. **Please see recommended Conditions.**

BIODIVERSITY NET GAIN (BNG) SPECIFIC COMMENTS:
• Biodiversity Net Gain is achievable on site with a +11.20% increase in Habitat Units and a +27.27% increase in Hedgerow Units. • This will need to be secured through a Habitat Management and Monitoring Plan (HMMP), and biodiversity net gain will need to be secured by condition. Please see Conditions. • Pre-development Plan Baseline Map and the report now address the number of buildings on site with buildings 3 and 4 appearing as one. In addition to buildings 5 and 6 appearing as one in the pre-development Plan Baseline Map. This is accepted and there are no further objections.
FURTHER INFORMATION REQUIRED:
• N/A
AMENDMENTS RECOMMENDED:
• N/A
RECOMMENDED CONDITIONS TO BE APPLIED:
• Construction Environment Management Plan (biodiversity) - No development shall take place (including ground works or vegetation clearance) until a Construction Environment Management Plan for biodiversity (CEMP: Biodiversity) has been submitted to and approved in writing by the LPA. The CEMP shall include the following details: A. Identification of potentially damaging construction activities B. practical measures and sensitive working practices to avoid or reduce impacts during construction on amphibians, reptiles and hedgehogs C. timing of works to avoid harm to nesting birds D. responsible persons for overseeing sensitive works E. use of protective fencing where required around hedgerows • The approved CEMP shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the LPA. • Bird and Bat Boxes – No development shall take place until a biodiversity enhancement scheme has been submitted to and approved in writing by the LPA. Enhancements shall include (but is not limited to) at least one woodcrete/integrated bat box, and three swallow/ house martin nest cups, the make/model and their locations. Any enhancement measures need to be shown on all relevant submitted plans. All works are to proceed strictly in accordance with the approved scheme. • HMMP - The development shall not commence until a 30 year Habitat Monitoring and Management Plan (HMMP), prepared in accordance with an approved Biodiversity Gain Plan, has been submitted to and approved in writing by the local planning authority. The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain the following: a) Description and evaluation of the features to be managed; b) Ecological trends and constraints on site that may influence management; c) Aims, objectives and targets for management - links with local and national species and habitat action plans; d) Description of the management operations necessary to achieving aims and objectives; e) Preparation of a works schedule, including annual works schedule; f) Details and a timetable of the monitoring needed to measure the effectiveness of management; g) Details of the persons responsible for the implementation and monitoring;

h) mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets; and i) Details of methodology and frequency of monitoring reports to be submitted to the Local Planning Authority to assess biodiversity gain (To enhance biodiversity, and in accordance with the National Planning Policy Framework and paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990)
RECOMMENDED INFORMATIVES TO BE APPLIED:
Bats - All UK Bat Species are protected by law: Schedule 2 of The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (WCA) (as amended) through inclusion in Schedule 5 and Countryside and Rights of Way Act 2000 (CROW) which makes it an offence Intentionally or recklessly/deliberately injure, take or kill a bat. Therefore, all work must be carried out carefully with the expectation that bats may be found. If bats are observed within the building at any time work must cease immediately and Natural England or the assigned ecologist for this project must be contacted for advice.
RECOMMENDED SECTION 106 REQUIREMENT (standard clause, contribution amount, trigger for payment)
N/A
DISCHARGE OF CONDITIONS ONLY: (Please confirm which condition(s) is/are being discharged)
N/A

Note for applicants: Please be aware that this specialist advice is provided to the Local Planning Authority through a Service Level Agreement between the Local Planning Authority and Leicestershire County Council.

If you have any queries about this advice, 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 as part of this service.

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.
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