

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	25/00175/FUL
ADDRESS	Valley View Station Road Desford Leicestershire
DESCRIPTION OF DEVELOPMENT	Erection of a dwelling with associated garage and landscaping including the demolition of existing office buildings
PLANNING CASE OFFICER	Sullivan Archer
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Richard Kelly
DATE OF COMMENTS	09/06/2025
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	✓
Condition recommended	✓
Informative recommended	✓
SUMMARY OF ECOLOGICAL DOCUMENTS CONSIDERED:	
• Site Plan • Location Plan • Tree Survey • Preliminary Ecological Appraisal (Three Shires, May 2025) • BNG Assessment • BNG Metric (28/05/2025) • Pre and post Development Habitat Maps • Landscape Proposals (March 2025)	
REASON FOR RECOMMENDATION PROVIDED:	
There has been a review of the applicant submitted information and Leicestershire County Ecology comments (02/04/2025) 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 39, Station Road, Desford which is mostly 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 and 3 hold water approximately 200m from site and were surveyed for GCN, eDNA samples and bottle trapping found no GCN present in either of these water bodies and no further surveys are required. 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 – 5 buildings have been assessed for the bat roost potential. B1 -B2 have several gaps present in the fabric of these buildings however, lead to no cavity behind or attic spaces. B3 is a timber structure covered in tarpaulin and B4 and B5 were metal sheds with skylights present. • Trees on site were not considered suitable for roosting bats. • The Non-Technical Summary refers to B1-B6 of being low potential for roosting bats and no further surveys required only a pre-demolition check by a suitably qualified ecologist. Table 1 states no further action is required in relation to bats and section 4.5.5/Table 3 only refer to Buildings B1-B5 with no further recommendations on building suitability for roosting bats or justification on a pre-demolition check rather than the 1 x emergence survey required in the BTC Guidelines (2023). There is a holding objection until this is clarified within the ecology report. • Birds – the line of trees, hedgerow and modified grassland could provide potential for nesting birds. 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. • Invasive non-native species – <i>cotoneaster</i> and <i>rhododendron sp</i> are present in the central line of trees. These species are listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) as plants that may not be planted or otherwise caused to grow in the wild. If removal of this plant is required, it is important to note that Schedule 9 invasive plants are classified as controlled waste and should be handled and disposed of accordingly at a licenced waste facility. Please see recommended Informatives.
BIODIVERSITY NET GAIN (BNG) SPECIFIC COMMENTS:
• Biodiversity Net Gain is achievable on site with a +15.40% increase in Habitat Units and a +48.56% increase in Hedgerow Units from Moderate to Good condition. 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 recommended Conditions. • Pre-development Plan Baseline Map refers to 4 buildings on site. 5 or 6 buildings are referred to in the ecology report. This needs clarification. • Desktop Assessment – are European Protected species on site has been answered no. This may not be correct dependant on the clarification of the PEA (bat survey section). • There is a holding objection until the ecology report, baseline map and desktop assessment have been clarified.
FURTHER INFORMATION REQUIRED:

• Clarification regarding bat surveys in the PEA report. • Pre-development Plan Baseline Map updating.
AMENDMENTS RECOMMENDED:
• N/A
RECOMMENDED CONDITIONS TO BE APPLIED:
• 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) • 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 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.
RECOMMENDED INFORMATIVES TO BE APPLIED:
• Invasive non-native species – <i>Rhododendron sp</i> and <i>cotoneaster sp</i> are listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) as plants that may not be planted or otherwise caused to grow in the wild. If it is necessary for (<i>Rhododendron</i> and <i>cotoneaster sp.</i>) to be removed, it is important to note that Schedule 9 invasive plants are classified as controlled waste and should be handled and disposed of accordingly at a licenced waste facility.
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.

