

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	25/00355/FUL (2 nd Reconsultation)
ADDRESS	11 Sapcote Road Burbage Hinckley Leicestershire LE10 2AS
DESCRIPTION OF DEVELOPMENT	Demolition of existing bungalow and construction of 3 new dwellings
PLANNING CASE OFFICER	Laura Ashton
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Olivia Larter
DATE OF COMMENTS	5 November 2025
ECOLOGICAL DOCUMENTS REVIEWED:	
<ul style="list-style-type: none"> • Preliminary Roost Assessment & Bat Emergence Survey Report (Croft Ecology, October 2025) • Preliminary Ecological Appraisal (Three Shires Ltd., July 2025) • The Statutory Biodiversity Metric – Calculation Tool (July 2025) • Technical Note: Biodiversity Net Gain (BNG) Statement (Three Shires Ltd., July 2025) • Statutory Condition Assessment sheets (January 2025) 	
SUMMARY RECOMMENDATION:	
No comment	<input type="checkbox"/>
No objection (for recommended conditions or informatives- see below)	<input checked="" type="checkbox"/>
Recommend Refusal	<input type="checkbox"/>
Holding Objection - Further information required	<input type="checkbox"/>
REASON FOR RECOMMENDATION:	
<p>We have reviewed the additional Preliminary Roost Assessment & Bat Emergence Survey Report (Croft Ecology, October 2025) submitted relating to the likely impacts of development on bats, a European Protected Species and identification of appropriate mitigation measures. We are now satisfied that there is sufficient information available to support determination of this application.</p> <p>Protected and Priority species</p> <p>The updated PRA reassessed the building on site as offering moderate potential for roosting bats, however the two emergence surveys carried out did not record any evidence of roosting bats (Preliminary Roost Assessment & Bat Emergence Survey Report, Croft Ecology October 2025).</p> <p>Therefore, no further surveys are required, however the mitigation measures identified in the Preliminary Ecological Appraisal (Three Shires Ltd., July 2025) and the Preliminary Roost Assessment</p>	

& Bat Emergence Survey Report (Croft Ecology, October 2025) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality.

We note from the Preliminary Roost Assessment & Bat Emergence Survey Report (Croft Ecology, October 2025) that the site has been recently cleared of vegetation and there are now no trees present on site which may offer bat roost potential as previously identified in the Preliminary Ecological Appraisal (Three Shires Ltd., July 2025), whilst the clearance has also likely reduced the sites suitability to support reptiles and amphibians. Therefore, the mitigation already detailed in the submitted and approved documents is considered sufficient to mitigate any risk to species during construction.

Mandatory Biodiversity Net Gains (BNG)

With regard to mandatory biodiversity net gains, it is highlighted that we support the submitted revised metric and associated BNG statement. 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. As a result, a Biodiversity Gain Plan should be submitted prior to commencement, which also includes the following:

- a) The completed metric calculation tool showing the calculations of the predevelopment and post-intervention biodiversity values.
- b) Pre and post development habitat plans.
- c) Legal agreement(s)
- d) Biodiversity Gain Site Register reference numbers (if using off-site units).
- e) Proof of purchase (if buying statutory biodiversity credits at a last resort).

Offsite enhancements will likely be required in order to achieve a 10% net gain. The LPA will require the Biodiversity Gain Site Register number and evidence that the site has been allocated to the habitat bank as part of the biodiversity gain condition. If off-site measures are to be provided as part of the applicants own land ownership, then a HMMP and legal agreement will need to be agreed with the LPA as part of the Biodiversity Gain Condition.

Biodiversity enhancements

We generally support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species outlined within Section 4.5 of the Preliminary Roost Assessment & Bat Emergence Survey Report (Croft Ecology, October 2025) which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). However, we recommend that additional enhancements for nesting birds are also included. The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Strategy and can be secured by a condition of any consent.

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

"All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Three Shires Ltd., July 2025) and the Preliminary Roost Assessment & Bat Emergence Survey Report (Croft Ecology, October 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.”

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).

2. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT LAYOUT

“A Biodiversity Enhancement Layout for biodiversity enhancements including those listed in the Preliminary Roost Assessment & Bat Emergence Survey Report (Croft Ecology, October 2025) shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Layout shall include the following:

- a) detailed designs or product descriptions for biodiversity enhancements; and*
- b) locations, orientations and heights for biodiversity enhancements on appropriate drawings.*

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.”

Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended)

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

HAVE MINIMUM NATIONAL INFORMATION REQUIREMENTS BEEN PROVIDED (PPG paragraph 11):

Confirmation that development is subject to statutory biodiversity gain condition	Yes
Pre-development Habitat Plan of existing onsite habitat (to scale)	Yes
Pre-development Habitat Value (on date of application or earlier)	Yes
Completed Metric Calculation Tool	Yes
Statement of Habitat Degradation where present (with dates and details)	N/A – Metric completed prior to recent clearance
Reason for proposing an earlier date if applicable (ie. degradation)	N/A
Description of Irreplaceable Habitat where present	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. habitat quantity, type or condition, strategic significance)	No
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ON-SITE AND OFF-SITE PROPOSALS PRESENT:

These should be secured and monitored for 30 years

Applicant-owned significant onsite BNG is proposed	No
Off-site BNG is proposed (eg. BNG units provided to achieve 10% BNG uplift either on applicant-owned land, purchased units or statutory credits) PLEASE NOTE: this is indicative only , confirmed at Biodiversity Gain Plan condition stage	Yes
TYPE OF SIGNIFICANT ON-SITE HABITAT PROPOSED: (using the current government definition ¹)	
Medium or High Distinctiveness	No
Large number of units at Low Distinctiveness	No
Significant increase in Distinctiveness, Condition or Area	No

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:

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.

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

