

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	26/00660/DISCON
ADDRESS	Land To The South Of 59 Kennel Lane Witherley Atherstone
DESCRIPTION OF DEVELOPMENT	Application to discharge conditions 3 (Land Contamination), 4 (Biodiversity Enhancement Plan), 5 (Materials) and 8 (Hard and Soft Landscaping) from planning permission 25/00019/FUL
PLANNING CASE OFFICER	Lesley Keal
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Richard Kelly
DATE OF COMMENTS	09 September 2026
ECOLOGICAL DOCUMENTS REVIEWED:	
• Application Form • External Works Layout Ecology and Landscaping: 9842.04 A	
SUMMARY RECOMMENDATION:	
No comment	
No objection (for recommended conditions or informatives- see below)	
Recommend Refusal	
Holding Objection - Further information required	✓
REASON FOR RECOMMENDATION:	
• Discharge of Condition 4 (Biodiversity Enhancement Plan) ONLY. An External Works Layout Ecology and Landscaping: 9842.04 A has been amended including the specification and placement of swallow nest cups. This is welcomed however; it is recommended nest cups are placed in clusters to mimic their natural environment. • There is a holding objection until nest cups are placed together and drawing 9842.04 A amended. • Discharge of Condition 8 (Hard and Soft Landscaping) ECOLOGY ONLY. An External Works Layout Ecology and Landscaping: 9842.04 drawing has been submitted. No objections.	
IN THE CASE OF DISCHARGE OF CONDITIONS ONLY: (Please confirm which condition(s) is/are being discharged)	
• Discharge of Condition 4 (Biodiversity Enhancement Plan) ONLY. Holding objection.	

- Discharge of Condition 8 (Hard and Soft Landscaping) ECOLOGY ONLY. No objections.

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.

