

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinkley & Bosworth Borough Council
APPLICATION NUMBER	24/01148/FUL
ADDRESS	Smiths At Pinwall Atherstone Road Pinwall Atherstone Leicestershire CV9 3NB
DESCRIPTION OF DEVELOPMENT	Demolition of existing structure and erection of new building (Retrospective)
PLANNING CASE OFFICER	Joe Fleetwood
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Dean LeFeuvre
DATE OF COMMENTS	28/01/2025
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	✓
SUMMARY OF ECOLOGICAL DOCUMENTS CONSIDERED:	
Preliminary Roost Assessment (PRA) Due to the proposed conversion of the structure on site, additional information is required in relation to roosting bats and breeding birds. In the absence of this additional information (detailed below) I recommend refusal since it is not possible to conclude that the proposal will not cause an offence under The Conservation of Habitats and Species Regulations 2017. For any planning application triggering the need for a bat survey, the following documents should be submitted to allow determination of the application: 1. A Preliminary Roost Assessment and any further surveys recommended by the licensed ecologist (e.g. Presence/Absence Survey and Roost Characterisation Survey). 2. A site plan showing any mitigation and enhancements being offered for bats (e.g. bat box locations, bat loft locations with measurements and internal details). 3. A lighting plan showing location and specification for any proposed lights on the site. The lighting plan should reflect the Bat Conservation Trust's Bats and Lighting in the U.K. guidance.	

All bat surveys should be carried out by an experienced, licensed ecologist and in accordance with the Good Practice Guidelines. Mitigation should be designed in line with Natural England's & CIEEMs Bat Mitigation Guidelines. Any deviation from the methods, level or timing of surveys set out in the Good Practice Guidelines should be accompanied by a reasoned evidence statement from the licensed ecologist carrying out the survey clarifying how the sub-optimal survey is ecologically valid.	
REASON FOR RECOMMENDATION PROVIDED:	
N/A	
PROTECTED SPECIES FURTHER INFORMATION REQUIRED:	
N/A	
BIODIVERSITY NET GAIN (BNG) FURTHER INFORMATION IS REQUIRED REGARDING:	
Incomplete or incorrect cells in the statutory metric	N/A
Incomplete or incorrect UK Hab or condition assessment information	N/A
Final pre-development habitat value	N/A
How post-development BNG land will be secured for 30 years	N/A
Description of irreplaceable habitat	N/A
Description of degradation	N/A
BIODIVERSITY NET GAIN (BNG) SPECIFIC COMMENTS:	
N/A	
DATE PROVIDED ON STATUTORY METRIC ONCE REVIEWED AND AGREED (for decision notice purposes):	
ANY RECOMMENDED CONDITIONS TO BE APPLIED:	
N/A	
ANY RECOMMENDED INFORMATIVES TO BE APPLIED:	
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.