

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	24/01161/FUL
ADDRESS	Manor Farm 2 Carlton Road Barton In The Beans Nuneaton
DESCRIPTION OF DEVELOPMENT	Conversion of two agricultural outbuildings to form two dwellinghouses
PLANNING CASE OFFICER	Matt Jedruch
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Richard Kelly
DATE OF COMMENTS	24/06/2025
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	✓
Condition recommended	✓
Informative recommended	
SUMMARY OF ECOLOGICAL DOCUMENTS CONSIDERED:	
• Updated – 2 Preliminary Ecological Appraisal Ref: WCL/ML/PEA/281124U2 • Small Sites BNG Metric (June 2025) • Proposed Site Layout • Location Plan	
REASON FOR RECOMMENDATION PROVIDED:	
There has been a review of the applicant submitted information, Leicestershire County Ecology comments (04/04/2025, 09/06/2025) and the updated BNG small sites metric (15/06/2025) with further comments below. • The updated PEA has addressed the red line boundary and included the assessments for other protected species which is accepted. • It must be noted that records of badgers are in the area and that during any works a series of RAMs will be required. Please see Conditions. • The ecology report is also recommending a series of bird and bat boxes installed within the new dwellings and additional hedgerow planted which is accepted. Please see Conditions.	

BIODIVERSITY NET GAIN (BNG) SPECIFIC COMMENTS:

- Biodiversity Net Gain is achievable on site with a +52.19%% increase in Habitat Units. A Habitat Management and Monitoring Plan (HMMP) and biodiversity net gain will need to be secured by condition. **Please see recommended Conditions.**
- The defunct hedgerow and trees are no longer in the redline boundary and not included within the application or BNG metric. This is accepted.
- Further justification has been received regarding the use of u1c/u1b5 habitats on the existing habitat plan Fig.2 PEA report (November 2024). This is further justified by photographs in the BNG Metric supporting information, Tab 5. Area Habitats user comments and written correspondence. This is accepted.
- The BNG offset area has now been included on plan.
- The existing habitat plan Fig.2 PEA report (November 2024) still requires updating inline with the changes outlined above. **Until this is received there is a holding objection.**

FURTHER INFORMATION REQUIRED:

- Updated existing habitat plan Fig.2 PEA report (November 2024) required.

AMENDMENTS RECOMMENDED:

- N/A

RECOMMENDED CONDITIONS TO BE APPLIED:

- **Badgers** - The development hereby approved shall, during the construction, ensure excavations or trenches left overnight are covered or have an escape route such as a shallow gradient at one or both ends. Ensure excavations or trenches are inspected each morning and evening to ensure no badgers have become trapped. Any open pipework with a diameter of more than 120mm should be properly covered or capped at the end of the working day to prevent badgers from entering and becoming trapped. During the work, the storage of any chemicals should be contained in such a way that they cannot be accessed or knocked over by any roaming badgers. Litter, tools and potentially dangerous materials on site should be cleared at the end of the working day. Care should be taken that there are no sharp metal objects or pointed protrusions on the ground which could seriously injure a badger due to their poor eyesight.
- **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 two integrated bat boxes, four integrated swift boxes, 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:
N/A
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.

