

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council	
APPLICATION NUMBER	26/00030/FUL	
ADDRESS	Lord Nelson Inn Wood Street Earl Shilton Leicester Leicestershire	
DESCRIPTION OF DEVELOPMENT	Change of use to create a 5 bed HMO to the first floor and self contained flat to second floor. To include two storey rear extension, loft conversion with front and rear dormers and the addition of solar panels and a single storey rear extension to pub to provide additional seating with new staircase access.	
PLANNING CASE OFFICER	Faizal Jasat	
DEPARTMENT	Ecology	
PLANNING ECOLOGY OFFICER	Richard Kelly	
DATE OF COMMENTS	03 February 2026	
ECOLOGICAL DOCUMENTS REVIEWED:		
<ul style="list-style-type: none"> • Application Form • Site Location Plan • Block Plan: D301- 07/01/2026 - 07/01/2026 – A • Existing Elevations: D101- 07/01/2026 - 07/01/2026 – A • Proposed Elevations: D101- 07/01/2026 - 07/01/2026 – A • Preliminary Roost Assessment (Arbtech, March 2022) 		
SUMMARY RECOMMENDATION:		
No comment		
No objection (for recommended conditions or informatives- see below)		
Recommend Refusal		
Holding Objection - Further information required		✓
REASON FOR RECOMMENDATION:		
<ul style="list-style-type: none"> • A Preliminary Roost Assessment was completed by Arbtech in March 2022 which is not accepted and reason outlined below. <p>Bats</p> <ul style="list-style-type: none"> • The original survey took place on 11/03/2022 which is now older than 18 months. In accordance with the CIEEM Advice Note on The Lifespan of Ecological Report and Surveys 		

an updated Preliminary Roost Assessment will be required. This is to update the baseline conditions and assess the building for new roost features.

- The application site is also situated within a swift alert area where swifts are known to be nesting; therefore, the updated Preliminary Roost Assessment much scope in a swift assessment.
- **There is a holding objection until the updated PRA is received.**
- The ODPM Regulations require protected species surveys to be submitted prior to determination of a planning application. It is also essential that the extent that they may be affected by the proposed development is established before the planning permission is granted. Reference: Paragraph 99 of ODPM Circular 06/2005 (Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System). Therefore, any further surveys recommended within the report would need to be carried out prior to determination.
- **Biodiversity Enhancements** – In accordance with the NPPF (2024) there should be a net gain for biodiversity and NERC Act 2006 a duty for public authorities to conserve and enhance biodiversity. It is therefore, recommended that 3 x swift bricks are incorporated within the development. **Please see recommended Conditions.**
- Any specific mitigation or enhancement relating to bats can be provided once the ecology survey has been submitted and reviewed

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

- **Swift Boxes** - No development shall take place until a swift (*Apus apus*) enhancement scheme has been submitted to and approved in writing by the Local Planning Authority. This is to detail the provision of a minimum of 3 woodcrete nest boxes, the make/model and location on building. All works are to proceed strictly in accordance with the approved scheme.

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.

