

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	25/01231/FUL
ADDRESS	Land Off Church Road Witherley Leicestershire
DESCRIPTION OF DEVELOPMENT	Erection of a single self-build dwelling and detached garage (Use Class C3)
PLANNING CASE OFFICER	Joseph Fleetwood HBBC
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Richard Kelly
DATE OF COMMENTS	06 July 2026
ECOLOGICAL DOCUMENTS REVIEWED:	
• Application Form • Site Location Plan: 09 • Revised Layout Plan: 07H • Ecological Appraisal (Learn Ecology, December 2025) • Reptile Survey (Croft Ecology, May 2026) • Landscape and Ecological Management Plan (The BNG Guy, June 2026) • Construction and Ecological Management Plan (The BNG Guy, June 2026)	
SUMMARY RECOMMENDATION:	
No comment	
No objection (for recommended conditions or informatives- see below)	
Recommend Refusal	
Holding Objection - Further information required	✓
REASON FOR RECOMMENDATION:	
There has been a review of applicant submitted information with Leicestershire County Council Ecology advice and updated LEMP and CEMP sections below, of which there are holding objections. LEMP • A Landscape and Ecological Management Plan has been produced by The BNG Guy in June 2026 which have been received and reviewed. • A habitat plan will be required within the LEMP delineating areas of management. • A plan of the bat, bird, invertebrate boxes and habitat piles will be required, including specification.	

- **There is a holding objection until this is supplied.**

CEMP

- A Construction and Environmental Management Plan has been produced by The BNG Guy (June 2026) which has been reviewed.
- The CEMP should include maps delineating the site compound and habitats/features to be protected during construction.
- **There is a holding objection until this is supplied within the CEMP.**

Reptiles

- The reptile survey undertaken by Croft Ecology in May 2026 is acceptable and observed a low population of grass snake on-site with a count of 1 individual. Sensitive working practices under the supervision of and Ecological Clerk of Works and no-go ecological protection zone as outlined within the report should be followed and included within the Construction and Environmental Management Plan (Biodiversity).
- An Ecological Appraisal completed by Learn Ecology in December 2025 has been submitted with the application which is accepted.
- Revised Site Layout Plan 07H indicates a 1.5m high timber post a rial fence located 10m away from the riverbank creating a buffer zone retaining the scrub and riparian habitat, this is welcomed and accepted.

Bats

- Artificial light spill on adjacent vegetation should be kept to a minimum to reduce disturbance of foraging and commuting bats.

Birds

- No evidence of nesting birds were observed during the survey. The trees and hedgerows do provide nesting habitat, and any vegetation clearance should take place outside the bird nesting season. **Please see recommended Informatives.**

BNG Specific

- The application is exempt from biodiversity net gain as it is a self-build and custom build development.

ANY RECOMMENDED INFORMATIVES TO BE APPLIED:

- Nesting Birds - Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore, building demolition and significant alteration or vegetation clearance should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.

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.

