

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council	
APPLICATION NUMBER	26/00282/FUL	
ADDRESS	The Fulford Bosworth Road Osbaston Nuneaton Leicestershire	
DESCRIPTION OF DEVELOPMENT	Demolition of existing dwelling and erection of replacement dwelling	
PLANNING CASE OFFICER	Gwion Russell	
DEPARTMENT	Ecology	
PLANNING ECOLOGY OFFICER	Richard Kelly	
DATE OF COMMENTS	30 April 2026	
ECOLOGICAL DOCUMENTS REVIEWED:		
• Application Form • Existing Site and Location Plan: 17B • Proposed Site Plan: 18A • Planning Statement		
SUMMARY RECOMMENDATION:		
No comment		
No objection (for recommended conditions or informatives- see below)		
Recommend Refusal		
Holding Objection - Further information required		✓
REASON FOR RECOMMENDATION:		
• No ecology survey has been submitted with the application, and more than 18 months have passed since the last ecology survey undertaken at the property (June 2024). Therefore, in accordance with CIEEM guidance on the lifespan of ecological reports an updated Preliminary Roost Assessment will be required. • The report should include potential impacts and any mitigation or licencing required to make the development lawful. • There is a holding objection until this 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.

BNG Specific

- It is accepted that mandatory BNG does not apply as the application is subject to the de minimis exemption as the footprint of the new building will not exceed 25 square metres of the building to be demolished.

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.

