

**CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:**

**ECOLOGY AND BIODIVERSITY PLANNING ADVICE**

<b>COUNTY, DISTRICT OR BOROUGH</b>	Hinckley and Bosworth Borough Council
<b>APPLICATION NUMBER</b>	25/00481/FUL
<b>ADDRESS</b>	22 Elwell Avenue Barwell Leicester Leicestershire LE9 8FH
<b>DESCRIPTION OF DEVELOPMENT</b>	Erection of one dwelling
<b>PLANNING CASE OFFICER</b>	Sullivan Archer
<b>DEPARTMENT</b>	Ecology
<b>PLANNING ECOLOGY OFFICER</b>	Jemma Bett
<b>DATE OF COMMENTS</b>	09 December 2025
<b>ECOLOGICAL DOCUMENTS REVIEWED:</b>	
<ul style="list-style-type: none"> <li>• Biodiversity Net Gain Report – Elton Ecology (Oct 2025)</li> <li>• Biodiversity Net Gain Metric – Ecologist EKJ (Oct 2025)</li> <li>• Revised Plans – Dwg No. DB/BB/21/03/02 – Rev F (Oct 2025)</li> </ul>	
<b>SUMMARY RECOMMENDATION:</b>	
<b>No comment</b>	
<b>No objection (for recommended conditions or informatives- see below)</b>	
<b>Recommend Refusal</b>	
<b>Holding Objection - Further information required</b>	✓
<b>REASON FOR RECOMMENDATION:</b>	
<ul style="list-style-type: none"> <li>• The proposed development consists of the erection of one dwelling to be constructed on land adjacent to 22 Elwell Avenue, sited within a predominantly residential area. It is understood the works will not affect or alter the existing dwelling on the site.</li> <li>• The revised Biodiversity Net Gain (BNG) report and metric have been reviewed. This has been altered to reflect the proposed changes within the proposed plans (Dwg No. DB/BB/21/03/02 – Rev F, Oct 2025).</li> <li>• However, the Biodiversity Net Gain (BNG) assessment appears to misrepresent the site's baseline habitats, classifying the majority of the site as modified grassland, with a smaller section classified as vegetated garden.</li> <li>• As the whole site is located within the curtilage of a private dwelling, the modified grassland should also be counted as vegetated garden, according to the Statutory Biodiversity Metric User Guide.</li> <li>• Therefore, the baseline habitat mapping and Biodiversity Metric should be revised to accurately reflect the habitats present and resubmitted.</li> </ul>	

<b>ANY RECOMMENDED CONDITIONS TO BE APPLIED:</b>
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<b>ANY RECOMMENDED INFORMATIVES TO BE APPLIED:</b>
<ul style="list-style-type: none"> <li>Nesting birds are protected under the Wildlife &amp; 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.</li> <li>All new planting should be composed of native species.</li> </ul>
<b>IN THE CASE OF DISCHARGE OF CONDITIONS ONLY:</b>
(Please confirm which condition(s) is/are being discharged)
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**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.

