

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	25/00701/OUT
ADDRESS	Land North Of Nailstone Road Barton In The Beans Nuneaton
DESCRIPTION OF DEVELOPMENT	Outline planning permission for 2 self-build homes (All matters reserved except for access)
PLANNING CASE OFFICER	Sullivan Archer
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Richard Kelly
DATE OF COMMENTS	20 August 2025
ECOLOGICAL DOCUMENTS REVIEWED:	
• Application Form • Site Location Plan • Proposed Site and Roof Plan • Planning Statement • Preliminary Ecological Appraisal (Dr Stefan Bodnar, April 2025)	
SUMMARY RECOMMENDATION:	
No comment	
No objection (for recommended conditions or informatives- see below)	
Recommend Refusal	
Holding Objection - Further information required	✓
REASON FOR RECOMMENDATION:	
• A Preliminary Ecological Appraisal has been completed by Dr Stefan Bodnar in April 2025 which is mostly accepted and key points outlined below. • Hedgerows – The site is boarded by mature hedgerows and trees with a mature ash tree on the northern boundary which will require protecting during construction therefore a biodiversity Construction and Environmental Management Plan is recommended as a condition. Please see recommended Conditions. • Bats – There are no trees on site with bat roost potential and no further surveys are required.	

- **Badger, fox and hedgehog** – No badger activity was recorded on site, nor fox or hedgehog. However, a series of reasonable avoidance measures are recommended to protect these species during construction. The RAMs should be included within a biodiversity Construction and Environmental Management Plan is recommended as a condition. **Please see recommended Conditions.**
- **Birds** – There is bird nesting potential on site such as the hedgerows and trees. It is recommended that any vegetation clearance takes place outside of the bird nesting season which runs from March to August inclusive. If this is not possible then a nesting bird check will be required, no later than 24 hours prior to removal by a suitably qualified ecologist. **Please see recommended Conditions.**
- **GCN** – there are no ponds on site and terrestrial habitat is considered limited however, there is a GCN probable pond within 110m to the northeast with direct habitat connectivity. This has not been explored, and further survey of this pond is required to determine if additional mitigation or licencing is required.
- **There is a holding objection until this survey is received.**
- **Reptiles** – habitat on site is considered of low suitability for reptiles and no further survey is recommended. However, appropriate precautions should be followed such as storing material and excavated earth away from field boundaries to deter reptiles. It is recommended these are included in a biodiversity Construction and Environmental Management Plan. Please see recommended Conditions.
- **Biodiversity Enhancements** – there is a requirement for net biodiversity gain in accordance with the NPPF (2024) and no net loss of biodiversity NERC Act (2006). Any landscaping scheme should include native trees and shrubs of local provenance and a range of plants to encourage pollinating insects as listed in the RHS Plants for pollinators. Any fencing should contain 13cm by 13cm gaps to allow hedgehog passage. In addition to 2 x bird boxes and 2 x bat boxes installed within the new dwellings. **Please see recommended Conditions.**

BNG Specific

- This is a self-build and custom build development therefore mandatory BNG does not apply.

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

- **CEMP Biodiversity** - No development shall take place (including ground works or vegetation clearance) until a Construction Environment Management Plan for biodiversity (CEMP: Biodiversity) has been submitted to and approved in writing by the LPA. The CEMP shall include the following details:
 - Identification of potentially damaging construction activities
 - practical measures and sensitive working practices to avoid or reduce impacts during construction on badger, small mammals and reptiles
 - timing of works to avoid harm to nesting birds
 - responsible persons for overseeing sensitive works
 - use of protective fencing where required for hedgerows and boundary vegetation
- The approved CEMP shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the LPA.

• Landscape Enhancement Plan - No development shall take place until a biodiversity enhancement plan has been submitted to and approved in writing by the LPA. Enhancements shall include (but is not limited to) 13cm x 13cm holes at the base of new close board fencing. At least two integrated bat boxes, two integrated bird boxes with the makes/models and their locations. The biodiversity enhancement scheme shall include planting of hedgerows and trees of native species of local provenance and species to attract pollinating insects as identified in the RHS' 'Plants for Pollinators' database. Hedgerow mixes should include: 80% hawthorn (<i>Crataegus monogyna</i>), plus any one or more of the following: field maple (<i>Acer campestre</i>), dogwood (<i>Cornus sanguinea</i>), dog rose (<i>Rosa canina</i>) and holly (<i>Ilex aquifolium</i>). Any enhancement measures need to be shown on all relevant submitted plans. All works are to proceed strictly in accordance with the approved scheme.
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.
IN THE CASE OF DISCHARGE OF CONDITIONS ONLY:
(Please confirm which condition(s) is/are being discharged)
• N/A

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.
--	---

