

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	26/00197/FUL
ADDRESS	The Limes Wood Road Nailstone Nuneaton Leicestershire
DESCRIPTION OF DEVELOPMENT	Conversion of three outbuildings to form four dwellinghouses with associated works
PLANNING CASE OFFICER	Joseph Fleetwood HBBC
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Karley Khan
DATE OF COMMENTS	05 May 2026
ECOLOGICAL DOCUMENTS REVIEWED:	
• Preliminary Ecological Appraisal (PEA) Validity Addendum (prepared by Greenline BNG Assessments, dated 06/11/2025) • Biodiversity Net Gain (BNG) Assessment (prepared by Greenline BNG Assessments, dated 17/11/2025)	
SUMMARY RECOMMENDATION:	
No comment	
No objection (for recommended conditions or informatives- see below)	
Recommend Refusal	
Holding Objection - Further information required	✓
REASON FOR RECOMMENDATION:	
Upon review of the above ecology documents as well as the Site Layout Plan (no ref), Existing Building Plans (ref: HMD/SV/0491/01-03), Proposed Building Plans (ref: HMD/PD/0491/02-04), Location Plan (no ref) and Application Form, we require further information in order to assess the likely impact of the development on ecology and biodiversity. Details of further information required in order to determine this application are detailed below: <i>PEA Reports;</i> • The PEA report submitted is an update assessment of the site, however the report is missing significant information including, but not limited to; the specific survey work undertaken, methodologies, photos, plans, licence numbers, updated information on designations and protected/Priority Species, mitigation measures or enhancements. • The original survey and the update survey were both undertaken outside of the optimal period.	

- The original PEA report did not include photos or plans either, including details of which buildings/trees within the site were subject to specific survey work for bats.
- Furthermore, the quality of the original PEA report provided is poor, such that it is difficult to review the plans contained therein. Nevertheless, it does appear the original PEA report upon which the updated report is based does not relate to the area of land within the redline boundary. As such, the information/results contained within this report are irrelevant to the current application.
- The original PEA report also included ecological enhancements, such that a plan showing the locations of these features should be provided to ensure works under the current application do not impact on these.
- We therefore have a holding objection for an ecological assessment relevant to the site be undertaken, with further survey work undertaken where required, and a supporting ecology report be provided with relevant plans and photos. All of the ecological survey work will need to be undertaken by suitably licenced and experienced ecologist(s), during the relevant optimal period and in accordance with the best practice guidance/methodology. Consideration of the potential impact of the development on designated sites, other protected and Priority species, habitats, Priority Habitats and important ecological feature(s) on-site and in the surrounding area should also be assessed where relevant.

BNG;

- Paragraph 4 of the BNG report states UKHab classification was followed for habitats, however information on habitats is not provided in accordance with UKHabs.
- Para. 6 & 7 relate to the de minimis exclusion, however to meet this exemption the area affected has to be below 25m². From the plans provided, namely in relation to units 1 & 2, these buildings are to be extended such that it is unclear whether this exemption applies. This also applies for Para. 10 which states 0m² of habitat will be affected.
- Para.12 of the BNG report states the baseline remains unchanged since 2023. However, in accordance with degradation for BNG, a statement is required as to whether degradation has taken place since 2020.
- Furthermore, as per the points above related to the original PEA report. The updated assessment is based on an area which is outside of the existing redline and therefore is not relevant.
- We require confirmation as to whether the application meets the criteria for de minimis exemption, with suitable evidence provided to support this. If the application does not meet the de minimis exemption, we require submission of all relevant BNG information including but not limited to a BNG report, metric and condition assessments where relevant.

The results are required prior to determination because paragraph 99 of the ODPM Circular 06/2005 highlights that: *"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."*

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

- TBC

ANY RECOMMENDED INFORMATIVES TO BE APPLIED:

- TBC

IN THE CASE OF DISCHARGE OF CONDITIONS ONLY:

(Please confirm which condition(s) is/are being discharged)
• N/A

PRE-DEVELOPMENT HABITAT BASELINE FOR BIODIVERSITY NET GAIN (BNG)	
THIS IS THE MINIMUM NATIONAL ESSENTIAL INFORMATION REQUIREMENTS (PPG paragraph 11) AND MUST BE SATISFIED PRIOR TO DETERMINATION:	
Confirmation that development is subject to statutory biodiversity gain condition	N
Pre-development Habitat Plan of existing onsite habitat (to scale)	N
Pre-development Habitat Value (on date of application or earlier)	N
Completed Metric Calculation Tool	N
Statement of Habitat Degradation where present (with dates and details)	N
Reason for proposing an earlier date if applicable (ie. degradation)	N
Description of Irreplaceable Habitat where present	N
SMALL SITES METRIC ONLY: "Competent person" information (ie. qualifications, skills, experience)	TBC
BNG METRIC INFORMATION missing or incorrect:	
Incomplete or incorrect cells are shown in metric (eg. habitat quantity, type or condition, strategic significance)	Y

POST DEVELOPMENT PROPOSALS FOR BIODIVERSITY NET GAIN (BNG)	
PLEASE NOTE: THIS IS NOT ESSENTIAL INFORMATION PRIOR TO DETERMINATION. Post-development information is indicative only ; final proposals must be confirmed at Biodiversity Gain Plan statutory condition stage.	
ON-SITE SIGNIFICANT* BNG is proposed (If Y, please see later table)	TBC
OFF-SITE APPLICANT-OWNED BNG is proposed (ie. Land shown on plan within the "blue line" boundary and inserted in "offsite" tab of statutory metric)	TBC
PLEASE NOTE: Where applicant-owned off-site or significant on-site BNG proposals are present, these should be secured and monitored for 30 years. The determining authority is responsible for monitoring for compliance.	
OFF-SITE PURCHASE** of BNG	
BNG units purchase from a third party to achieve 10% BNG uplift	TBC
Statutory biodiversity credits	TBC
PLEASE NOTE**: Where purchased BNG units are proposed, any purchased units from the national register are secured and monitored for 30 years by conservation covenant, separately from this planning application process.	

POST DEVELOPMENT PROPOSALS:		
*TYPE OF SIGNIFICANT ON-SITE HABITAT PROPOSED: (using the current government definition ¹)		
SIGNIFICANCE AS DEFINED IN PPG	POST DEVELOPMENT HABITAT TYPE PROPOSED	NUMBER OF UNITS

¹ <https://www.gov.uk/guidance/make-on-site-biodiversity-gains-as-a-developer#significant-on-site-enhancements>

Medium or High Distinctiveness		
Large number of units at Low Distinctiveness		
Significant increase in Distinctiveness, Condition or Area		

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.

