

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	26/00196/FUL
ADDRESS	The Limes Wood Road Nailstone Nuneaton Leicestershire
DESCRIPTION OF DEVELOPMENT	Change of use of an existing outbuilding to form a dwellinghouse with associated works
PLANNING CASE OFFICER	Joseph Fleetwood HBBC
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Karley Khan
DATE OF COMMENTS	01 September 2026
ECOLOGICAL DOCUMENTS REVIEWED:	
• Ecology Clarification & Validation Note (dated 11/05/2026) • Biodiversity Net Gain (BNG) Assessment (prepared by Greenline BNG Assessments, dated 17/11/2025) • Preliminary Ecological Appraisal (PEA) Validity Addendum (prepared by Greenline BNG Assessments, dated 06/11/2025)	
SUMMARY RECOMMENDATION:	
No comment	
No objection (for recommended conditions or informatives- see below)	
Recommend Refusal	
Holding Objection - Further information required	✓
REASON FOR RECOMMENDATION:	
We have reviewed the above ecology documents and welcome the additional information and clarification provided. This information addresses some of the comments, however some comments remain outstanding and are included below. <i>Ecological Reporting;</i> • The clarification note states the outbuildings were classified as providing 'negligible' suitability for roosting bats. However, no information on the methodology for assessing the outbuildings is provided, nor are photos of the buildings, a plan showing the building locations or the licence number of the surveyor. Furthermore, no information on the methodology by which the trees were assessed for roosting bats is provided. • The clarification note and PEA report do not include any information relating to designated sites, Priority Habitats and important ecological feature(s) in the surrounding area as requested.	

- The assessment of the site for protected and Priority Species, in particular Great Crested Newt, does not reflect updated information in relation to this species. The site is located within proximity of a number of ponds and within the red risk zone for GCN, such that the potential impact from the development requires an updated assessment based on the latest available information including background data and desktop study.
- The original survey and the update survey were both undertaken outside of the optimal period and require either an update survey work during the optimal period or justification to be provided.
- Therefore, a holding objection for an updated ecological assessment of the site and suitable ecology report(s) submitted relating to this application and redline boundary be provided. The report should include relevant plan(s) and photos, details of survey work undertaken and methodologies followed, and suitable mitigation and enhancements. This information would allow the planning application to be assessed in accordance with the requirements of the NPPF and ODPM Circular.

Site Location;

- As stated previously, the site location plan does not show the location of the existing building, and it is also unclear from a review of aerial imagery where the building is located. We understand the walkover covered the whole site, however the site location plan shows the redline boundary to be a smaller area within the wider ownership, such that there remains a holding objection for a suitable plan of the site within the redline boundary be provided, albeit this can be addressed through the submission of a suitable plan within the ecology report.

BNG;

- The clarification note provides further information on habitat loss/ tree and hedgerow removal, and clarification on meeting the de minimis exemption. However, as previously requested, a plan of the site within the redline boundary as shown on the site location plan has not been provided.

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	Y/N
Pre-development Habitat Plan of existing onsite habitat (to scale)	Y/N
Pre-development Habitat Value (on date of application or earlier)	Y/N
Completed Metric Calculation Tool	Y/N
Statement of Habitat Degradation where present (with dates and details)	Y/N
Reason for proposing an earlier date if applicable (ie. degradation)	Y/N
Description of Irreplaceable Habitat where present	Y/N
SMALL SITES METRIC ONLY: "Competent person" information (ie. qualifications, skills, experience)	Y/N
BNG METRIC INFORMATION missing or incorrect:	
Incomplete or incorrect cells are shown in metric (eg. habitat quantity, type or condition, strategic significance)	Y/N

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)	Y/N
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)	Y/N
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	Y/N
Statutory biodiversity credits	Y/N
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
Medium or High Distinctiveness		
Large number of units at Low Distinctiveness		
Significant increase in Distinctiveness, Condition or Area		

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

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.

