

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	25/01231/FUL
ADDRESS	Land Off Church Road Witherley Leicestershire
DESCRIPTION OF DEVELOPMENT	Erection of a single self-build dwelling and detached garage (Use Class C3)
PLANNING CASE OFFICER	Joseph Fleetwood HBBC
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Richard Kelly
DATE OF COMMENTS	13 May 2026
ECOLOGICAL DOCUMENTS REVIEWED:	
• Application Form • Site Location Plan: 09 • Revised Layout Plan: 07H • Ecological Appraisal (Learn Ecology, December 2025)	
SUMMARY RECOMMENDATION:	
No comment	
No objection (for recommended conditions or informatives- see below)	
Recommend Refusal	
Holding Objection - Further information required	✓
REASON FOR RECOMMENDATION:	
There has been a review of applicant submitted information (revised layout plan 07H) and Leicestershire County Council Ecology advice of which there are still holding objections in relation to reptiles, please see below. Reptiles • The site is considered suitable for reptiles due to the adjacent River Anker corridor and on-site habitat. Therefore, further reptile surveys are required to be undertaken at the appropriate time of year. • There is a holding objection until these surveys are completed. • An Ecological Appraisal completed by Learn Ecology in December 2025 has been submitted with the application which is accepted and briefly outlined below.	

- Revised Site Layout Plan 07H indicates a 1.5m high timber post and rail fence located 10m away from the riverbank creating a buffer zone retaining the scrub and riparian habitat, this is welcomed and accepted.
- Majority of the site comprises of other neutral grassland where part will be lost due to the proposals. There will be a requirement to compensate for the loss of this grassland to ensure a net gain for biodiversity. Enhancement of the remaining neutral grassland should be detailed within a Landscape and Ecological Management Plan (LEMP). **Please see recommended Conditions.**
- A Construction and Environmental Management Plan (Biodiversity) will be required to protect the following habitats and species during construction: River Anker, the priority habitat: deciduous woodland, boundary hedgerows and trees. A series of precautionary working methods for: badger, otter, water vole and hedgehogs. As suitable habitat is present on site and in the wider landscape. **Please see recommended Conditions.**

Bats

- Artificial light spill on adjacent vegetation should be kept to a minimum to reduce disturbance of foraging and commuting bats.

Birds

- No evidence of nesting birds were observed during the survey. The trees and hedgerows do provide nesting habitat, and any vegetation clearance should take place outside the bird nesting season. **Please see recommended Informatives.**

Biodiversity Enhancement

- The ecology report is recommending a series of enhancements which should be included within a landscape enhancement plan condition. These include:
 - One integrated bat box
 - Two integrated bird boxes including a sparrow terrace and swallow or house martin nest cups
 - Any new close board fencing installed which may fragment the landscape for hedgehog should include a 13cm x 13cm hole at the base to allow for hedgehog migration through the site.
 - Construction of a hedgehog hibernaculum
 - **Please see recommended Conditions.**
- Any specific mitigation or enhancement relating to reptiles can be provided once the ecology survey has been submitted and reviewed.

BNG Specific

- The application is exempt from biodiversity net gain as it is a self-build and custom build development.

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:
 - A. Identification of potentially damaging construction activities on the River Anker
 - B. practical measures and sensitive working practices to avoid or reduce impacts during construction on: other neutral grassland, badgers, otter water vole and hedgehogs

C. timing of works to avoid harm to nesting birds D. responsible persons for overseeing sensitive works E. use of protective fencing where required to safeguard hedges and trees • The approved CEMP shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the LPA. • Landscape and Ecological Management Plan - No development shall take place (including ground works or vegetation clearance) until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following details: A. description and evaluation of the features to be created/enhanced B. aims and objectives of management C. appropriate management options for achieving aims and objectives D. prescriptions for management actions E. work schedule F. species/seed mixes to be planted/sown G. ongoing monitoring and remedial measures • The approved plan will be implemented in accordance with the approved details.
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.

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.

