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

**ECOLOGY AND BIODIVERSITY PLANNING ADVICE**

| | |
|---|---|
| **COUNTY, DISTRICT OR BOROUGH** | Hinckley and Bosworth Borough Council |
| **APPLICATION NUMBER** | 25/00666/FUL |
| **ADDRESS** | Odstone Hall Hall Lane Odstone Nuneaton Leicestershire |
| **DESCRIPTION OF DEVELOPMENT** | Single-storey family activities barn (including a kitchen, gym, and relaxation area) and a separate pool house. |
| **PLANNING CASE OFFICER** | Sophie Iliffe |
| | |
| **DEPARTMENT** | Ecology |
| **PLANNING ECOLOGY OFFICER** | Karley Khan |
| **DATE OF COMMENTS** | 03 November 2026 |

**ECOLOGICAL DOCUMENTS REVIEWED:**

- **Preliminary Ecological Appraisal and Roost Assessment (prepared by arbtech, dated 03/12/2025)**
- **Leicestershire County Council Ecology Comments (dated 19/09/2025)**
- **Small Sites Metric (completed by BHB Architects, dated 30/06/2025)**
- **BNG Mitigation Plan (ref:4135-10, Rev B)**

**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 as well as the Proposed Site Plan (ref: 4135-04, RevB), Proposed Elevations (ref: 4135-07, RevB), Existing Block Plan (ref: 4135-02, RevB), Existing Elevations (ref: 4135-06, RevB), Design and Access Statement (ref: 3588, dated May 2024), Location Plan (ref: 4135-01, RevB), Proposed Block Plan (ref: 4135-03, RevB), Layout Plan (ref: GA-1), Arboricultural Impact Assessment (ref: ) and Application Form.

A BNG mitigation plan has been provided which provides some additional information, however the comments previously raised in relation to the BNG have not been addressed, and we have additional comments related to the mitigation plan.

- The hedges and line of trees tab is not completed
- The baseline is recorded as modified grassland, however this does not match the habitat map provided.

- The desktop assessment and supporting information tabs require completing.
- There are errors in the metric for site areas
- Baseline habitats have been assigned strategic significance. A Local Nature Recovery Strategy (LNRS) is available for Leicestershire and should be referred to in accordance with the SSM User Guide, with the SSM updated as appropriate.
- The BNG mitigation plan appears to show enhancements within the ownership blueline boundary. As such, it would be prudent to use the Statutory Biodiversity Net Gain (BNG) Metric. We also note individual trees are proposed, however their proposed locations on the plan would form a linear feature. We also request clarification on the location and appropriateness of the proposed mixed scrub.

**ANY RECOMMENDED CONDITIONS TO BE APPLIED:**

- Adherence to Report Recommendations – The development hereby approved shall be implemented in strict accordance with the measures and recommendations stated in the Preliminary Ecological Appraisal and Roost Assessment (prepared by arbtech, dated 03/12/2025).

- Landscape Enhancement Plan - No development shall take place until a biodiversity enhancement scheme has been submitted to and approved in writing by the LPA. Enhancements shall include (but is not limited to) at least one woodcrete/integrated bat box, two woodcrete/integrated bird boxes, and one hedgehog house, one log/rubble pile, the make/model and their locations. 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
- Invasive non-native species – Rhododendron sp is listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) as plants that may not be planted or otherwise caused to grow in the wild. If it is necessary for (Rhododendron sp) to be removed, it is important to note that Schedule 9 invasive plants are classified as controlled waste and should be handled and disposed of accordingly at a licenced waste facility.
- All bat species are legally protected under the Wildlife & Countryside Act 1981 (as amended); as such, trees to be removed will require inspection for suitable features that could be used by roosting bats prior to felling. This can be carried out by the arborist completing the works, however if suitable roosting features are identified, evidence of bats, or indeed live bats are found, works should cease, and advice obtained from a licenced bat ecologist

**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 |
| **Pre-development Habitat Plan of existing onsite habitat** (to scale) | Y |
| **Pre-development Habitat Value** (on date of application or earlier) | Y |
| 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) | Y |
| **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) | 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 |
| **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 | N |
| Statutory biodiversity credits | 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<br>Biodiversity Duty<br>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)<br>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.<br>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. |