

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	26/00504/FUL
ADDRESS	Paddock View Twycross Road Sheepy Magna Atherstone Leicestershire CV9 3RT
DESCRIPTION OF DEVELOPMENT	Single storey side extension, addition of front porch and change of use of agricultural land to C3 domestic garden land
PLANNING CASE OFFICER	Sullivan Archer
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Karley Khan
DATE OF COMMENTS	02 September 2026
ECOLOGICAL DOCUMENTS REVIEWED:	
• Preliminary Ecological Appraisal & Biodiversity Net Gain Report (prepared by Oak Ecology, Version V1.2, dated 29/08/2026) • BNG Metric (dated 12/08/2026)	
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 are largely satisfied with the additional information provided. We note however some of the comments provided have not been fully addressed. <i>Protected Species;</i> • Information on the suitability of the building to support roosting bats has been provided. However, the surveyors Natural England licence number has not been provided nor has details of the survey, methodology and enhancements for bats. This information is requested. • Given the proximity of the site to the adjacent woodland, we have included a condition for a pre-commencement check for Badger. <i>BNG;</i>	

- The baseline on-site and off-site habitats have been classified as modified grassland, however no information on the species recorded is provided and is requested. Furthermore, the condition assessment sheets for the on-site and off-site grassland and hedgerows have not been provided and are required to be submitted.
- The BNG report does not include statements relating to degradation and irreplaceable habitats, such that this information is required.
- Table 17 states the total net change will be 43.56% for area habitats and 22.11% for linear. However, these values are for the off-site gain and not the total net gain for on-site, off-site, creation and enhancement. Requirement to revise the report and Metric at Biodiversity Gain Plan stage.
- The report states either off-site habitat creation, scheme alteration or purchasing units to achieve 10% net gain will be required. However, the report includes details relating to off-site habitat creation and this is in-keeping with the biodiversity gain hierarchy, such that it is assumed this is the proposed approach. Nevertheless, we request clarification as to which option is to be pursued.
- Should the off-site option be chosen, as stated in the report this will must be legally secured and monitoring for compliance for 30 years. Land can be secured using either a planning condition, a Section 106 or a conservation covenant; fees for monitoring for compliance (for offsite or significant onsite BNG) should be included in Section 106 agreements. The site will also need to be registered as a biodiversity gain site. All relevant documentation will need to be submitted to the LPA.

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

Please note, this is not an exhaustive list and additional conditions may be recommended depending on the results of the further ecological information provided.

- Pre-commencement Badger Check - No development shall take place, including ground works or vegetation clearance, until an updated Badger survey has been submitted to and approved in writing by the Local Planning Authority. This survey is to be carried out within 3 months of the commencement of works on site, unless otherwise agreed. The survey shall include details on mitigation measures and licensing for Badgers if necessary. All works are to proceed strictly in accordance with the approved document.
- Sensitive Lighting Scheme - No external lighting shall be installed on the site until details (including luminance levels and measures to minimise light spillage) have been submitted to and approved in writing by the Local Planning Authority. External lighting shall only be installed in accordance with the approved details and shall not be replaced with any alternative lighting without the prior permission in writing of the Local Planning Authority.
- BNG – The statutory BNG metric shows there is a net loss in habitat units, these will need to be compensated for, either by creating/enhancing off-site habitat or by purchasing habitat bank/credits. Once a suitable offsite scheme has been decided, indication of who is responsible for ensuing delivery of BNG habitats/ongoing monitoring and enforcement should be stated including ownership of the BNG offset land, and a Habitat Management and Monitoring Plan (HMMP) and Biodiversity Plan should be conditioned.

Prior to commencement of works, a Biodiversity Gain Plan must be submitted, along with a Habitat Management and Monitoring Plan (HMMP) detailing how net gain will be achieved and secured for a period of 30 years.

ANY RECOMMENDED INFORMATIVES TO BE APPLIED:
- All UK Bat Species are protected by law: Schedule 2 of The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (WCA) (as amended) through inclusion in Schedule 5 and Countryside and Rights of Way Act 2000 (CROW) which makes it an offence Intentionally or recklessly/deliberately injure, take or kill a bat. Therefore, all work must be carried out carefully with the expectation that bats may be found. If bats are observed within the building at any time work must cease immediately and Natural England or the assigned ecologist for this project must be contacted for advice. - All new planting should be composed of native species. All new planting should be composed of native species of local provenance and species to attract pollinating insects as identified in the RHS' 'Plants for Pollinators' database.
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	Y
Statement of Habitat Degradation where present (with dates and details)	N
Reason for proposing an earlier date if applicable (ie. degradation)	TBC
Description of Irreplaceable Habitat where present	N
SMALL SITES METRIC ONLY: "Competent person" information (ie. qualifications, skills, experience)	N/A
BNG METRIC INFORMATION missing or incorrect:	
Incomplete or incorrect cells are shown in metric (eg. habitat quantity, type or condition, strategic significance)	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)	N
OFF-SITE APPLICANT-OWNED BNG is proposed	Y

(ie. Land shown on plan within the “blue line” boundary and inserted in “offsite” tab of statutory metric)	
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
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)

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

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.
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