

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	24/00296/FUL
ADDRESS	Gnarley Farm Ashby Road Osbaston Nuneaton Leicestershire CV13 0HP
DESCRIPTION OF DEVELOPMENT	Demolition of existing barn and existing farm shop to be extended
PLANNING CASE OFFICER	David Spring
DEPARTMENT	
	Ecology
PLANNING ECOLOGY OFFICER	
	Dale Devereaux
DATE OF COMMENTS	
	23/04/2024
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	
Condition recommended	
Informative recommended	☒
REASON FOR RECOMMENDATION PROVIDED:	
- The proposed development involves extensive alterations to the roof structure of the existing open-sided storage building, and some alteration to the south-west gable end of the existing farm shop where the roof structures will be joined. - This has the potential to impact roosting bats as well as nesting birds. - Having reviewed the photographs provided in the Design, Access & Planning Statement, I can see that the open-fronted storage building has negligible suitability for roosting bats, although it is likely to provide suitable habitat for nesting birds such as barn swallows. - The existing farm shop is in good condition, with no obvious gaps in mortar or lifted tiles, therefore the suitability for roosting bats is low. - The swallow cup, bird and bat boxes are shown in suitable locations in the elevations, and ensure a net gain in biodiversity. I am satisfied that having been shown in plans they can be secured through the usual condition requiring adherence to these plans. - In addition, the below Informatives should be attached to any permission.	
BIODIVERSITY NET GAIN (BNG) specific comments:	
N/A	

FURTHER INFORMATION REQUIRED:
N/A
AMENDMENTS RECOMMENDED:
N/A
RECOMMENDED CONDITIONS TO BE APPLIED:
N/A
RECOMMENDED INFORMATIVES TO BE APPLIED:
- Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore, building demolition and significant alteration should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person. - The property may be suitable for roosting bats, which are protected by law from harm. It is the applicant's responsibility to ensure that bat legislation is not breached, and therefore may need to consult with a licenced bat ecologist prior to commencement to ensure that bats will not be impacted by the works. The applicant should ensure that all contractors and individuals working on the property are aware of this possibility, as works must cease if bats are found during the course of the works whilst advice from a bat ecologist is obtained. Bats are particularly associated with the roof structure of buildings, including lofts, rafters, beams, gables, eaves, soffits, flashing, ridge-tile, chimneys, the under-tile area, etc. but may also be present in crevices in stone or brickwork and in cavity walls.
RECOMMENDED SECTION 106 REQUIREMENT (standard clause, contribution amount, trigger for payment)
N/A
DISCHARGE OF CONDITIONS ONLY: (Please confirm which condition(s) is/are being discharged)
N/A

Note for applicants: Please be aware that this specialist advice is provided to the Local Planning Authority through a Service Level Agreement between the Local Planning Authority and Leicestershire County Council.

If you have any queries about this advice, 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 as part of this service.

The following legislation is used to assist in the assessment of planning applications:

Legislation source	Reference
NPPF Dec 2023	Paras 8, 180, 181, 185, 186, 187, 188
Environment Act 2021	Mandatory Net Gain Biodiversity Duty Local Nature Recovery Strategy
District or Borough Local Plan and supporting SPD's	Local Plan policy reference:
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.