

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council	
APPLICATION NUMBER	25/01104/FUL	
ADDRESS	HLCS Hillside Sibson Road Ratcliffe Culey Atherstone Leicestershire	
DESCRIPTION OF DEVELOPMENT	Change of use of a caravan and associated land from agricultural use to residential use (retrospective)	
PLANNING CASE OFFICER	Joe Fleetwood	
DEPARTMENT	Ecology	
PLANNING ECOLOGY OFFICER	Olivia Larter	
DATE OF COMMENTS	15 December 2025	
ECOLOGICAL DOCUMENTS REVIEWED:		
• None supplied		
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 documents supplied by the applicant and we are satisfied that there is sufficient ecological information available to support determination of this application. No ecological information has been submitted relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation. Therefore, we have conducted a desktop study including local records (accessed under licence) and aerial imagery (Google Earth) to help assess this. A review of aerial imagery indicates that the boundary vegetation on site does not appear to contain any trees which may offer suitability for bats and consists of fragmented scrub which is suboptimal for foraging and commuting bats. In addition, this retrospective application for a change of use does not involve any loss or impact to the existing habitats on site, and whilst it may have resulted in an increase in human activity, it is not likely to have caused any significant impacts to protected and Priority species.		

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats.

Applications are required to deliver a mandatory 10% measurable biodiversity net gain, unless exempt under paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024. As a result, we have reviewed the application and are satisfied that this application meets the definition of being retrospective, and as such is exempt from the statutory requirement of mandatory biodiversity net gains.

However, reasonable biodiversity enhancements for protected, Priority and threatened species are a requirement to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). Reasonable biodiversity enhancement measures are a separate matter to mandatory biodiversity net gains, and the finalised details should be outlined within a separate Biodiversity Enhancement Strategy to be secured as a condition of any consent.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended) and delivery of mandatory Biodiversity Net Gain.

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

- 1. WITHIN ONE MONTH OF CONSENT: BIODIVERSITY ENHANCEMENT LAYOUT**
"A Biodiversity Enhancement Layout for biodiversity enhancements prepared by a suitably qualified ecologist shall be submitted to and approved in writing by the local planning authority.
- The content of the Biodiversity Enhancement Layout shall include the following:*
- a) detailed designs or product descriptions for biodiversity enhancements; and*
 - b) locations, orientations and heights for biodiversity enhancements on appropriate drawings.*
- The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter."*
- Reason:** To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended).

ANY RECOMMENDED INFORMATIVES TO BE APPLIED:

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	Exempt
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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.