

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	26/00755/FUL
ADDRESS	The Old House Congerstone Lane Shackerstone Nuneaton Leicestershire CV13 6NJ
DESCRIPTION OF DEVELOPMENT	Erection of a detached single storey annexe
PLANNING CASE OFFICER	Zahra Jam-Rotbeh
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Karley Khan
DATE OF COMMENTS	05 October 2026
ECOLOGICAL DOCUMENTS REVIEWED:	
• Priority Habitat Report (no ref or date)	
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 document as well as the Proposed Site Plan (ref: AVD-891-CLS-PL01), Existing and Proposed Elevations (ref: AVD-891-CLS-PL03), Design and Access Statement (ref: AVD-891-CLS-DAH), Existing and Proposed Plans (ref: AVD-891-CLS-PL02) and Application Form. We request some additional information/clarification in order to assess the likely impact of the development on ecology and biodiversity. Details of further information required in order to determine this application are detailed below: <i>Roosting and Hibernating Bats;</i> • The application is for the erection of a single storey dwelling, however the DAS report makes mention of the 'privy' requiring repair works and the demolition of the 'stable' being of no significance on the conservation area. As such, it is unclear whether any works to existing buildings is proposed. • Should any building/structure be demolished or subject to works, a preliminary roost assessment (PRA) and assessment of hibernation potential of the building/structure would be required in the first instance. Depending on the results of the PRA/hibernation survey, further survey work may be required.	

- It is also unclear whether any trees will be removed/pruned/subject to lighting under the proposals. If any trees are affected a Ground-Level Tree Assessment (GLTA) is required, with further surveys undertaken as required.
- The PRA and GLTA surveys, if needed, will need to be undertaken by a suitably experienced and licenced ecologist, and in accordance with the latest Bat Conservation Trust Good Practice Guidelines.

Ecological Survey Work;

- Consideration of the potential impact of the development on designated sites, other protected and Priority species, habitats, Priority Habitats and important ecological feature(s) on-site and in the surrounding area should also be assessed where relevant.
- All of the ecological survey work will need to be undertaken by suitably licenced and experienced ecologist(s), during the relevant optimal period and in accordance with the best practice guidance/methodology.

Ecological Reporting;

- An accompanying ecology report(s), with relevant plan(s) and photos, will need to be submitted detailing the results of the desktop study, ecology survey work, mitigation, compensation and enhancements. This information would allow the planning application to be assessed in accordance with the requirements of the NPPF and ODPM Circular.

BNG;

- The application form states the site meets the 0.2ha or below exemption, which based on the site area is correct. However, this exemption does not apply if there is an impact on Priority Habitat on-site, such that we require clarification whether any native hedgerows are present on site, and if so, whether the hedge or any section thereof will be removed/impacted under the proposals. We also request clarification whether any of the existing orchard will be removed/impacted under the proposals as orchards meeting the 'Traditional Orchards' definition are also a Priority Habitat.

The results are required prior to determination because paragraph 99 of the ODPM Circular 06/2005 highlights that: *"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."*

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

- TBC

ANY RECOMMENDED INFORMATIVES TO BE APPLIED:

- TBC

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	TBC
Pre-development Habitat Plan of existing onsite habitat (to scale)	Y/N
Pre-development Habitat Value (on date of application or earlier)	Y/N
Completed Metric Calculation Tool	Y/N
Statement of Habitat Degradation where present (with dates and details)	Y/N
Reason for proposing an earlier date if applicable (ie. degradation)	Y/N
Description of Irreplaceable Habitat where present	Y/N
SMALL SITES METRIC ONLY: "Competent person" information (ie. qualifications, skills, experience)	Y/N
BNG METRIC INFORMATION missing or incorrect:	
Incomplete or incorrect cells are shown in metric (eg. habitat quantity, type or condition, strategic significance)	Y/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)	Y/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/N
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	Y/N
Statutory biodiversity credits	Y/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 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.

