

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council	
APPLICATION NUMBER	25/00902/FUL	
ADDRESS	Pinehollow Barn Stoke Lane Higham on The Hill Nuneaton Leicestershire	
DESCRIPTION OF DEVELOPMENT	Siting of four static caravans and two touring caravans for residential use and conversion of the existing barn into a day room	
PLANNING CASE OFFICER	Sullevan Archer	
DEPARTMENT	Ecology	
PLANNING ECOLOGY OFFICER	Olivia Larter	
DATE OF COMMENTS	5 November 2025	
ECOLOGICAL DOCUMENTS REVIEWED:		
<ul style="list-style-type: none"> • None supplied 		
SUMMARY RECOMMENDATION:		
No comment	<input type="checkbox"/>	
No objection (for recommended conditions or informatives- see below)	<input type="checkbox"/>	
Recommend Refusal	<input type="checkbox"/>	
Holding Objection - Further information required (Mandatory Biodiversity Net Gain)	<input checked="" type="checkbox"/>	
REASON FOR RECOMMENDATION:		
<p>We have reviewed the documents supplied by the applicant and we are not satisfied that there is sufficient ecological information available for determination of this application.</p> <p>No ecological information has been supplied in relation to relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation. Therefore, we have undertaken a desktop study using local records (accessed under licence) and aerial imagery (Google Earth) to help assess this.</p> <p>Protected and Priority species We note from aerial imagery that there are trees on site which may offer potential roosting, foraging and/or commuting habitat for bats. Whilst the existing buildings on site look to be retained, the development may cause disturbance to any bats using these buildings due to construction activities and post development from any new lighting. However, the trees are not shown on the proposal plan, as such it is unclear as to whether the siting of the caravans requires removal/impact to any trees.</p>		

In addition, we note that local records (accessed under licence) identified a pipistrelle maternity roost located within a building adjacent to the site across the road, whilst good linear foraging and commuting habitat in the wider landscape increases the likelihood that bats may be using the site.

Therefore, confirmation on whether any trees and/or existing buildings are to be impacted by the development is required. If impacts are likely, these should be assessed for their suitability to support bats in a GLTA/PRA. This information is required prior to determination because Government Standing Advice indicates that you should “*Survey for bats if the area includes buildings or other structures that bats tend to use or there are trees with features that bats tend to use nearby*”.

The results of these surveys 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.*”

Mandatory Biodiversity Net Gains (BNG):

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 form and proposal plan and are not satisfied that appropriate information has been provided prior to determination. This is because of the reasons set out below:

- No information relating to BNG has been provided, except an exemption statement within the application form. Whilst we acknowledge that the majority of the site consists of existing developed land, we note that there is a parcel of vegetation containing trees towards the west of the site not included within the plans. It is unclear as to whether this area will be impacted by the proposals and if so, whether the area impacted is over 25m², in which case BNG would apply. As a result, further clarification should be supplied on the on-site habitat baseline and the potential impacts from the proposed static caravans.

Additional comments – BNG

If mandatory biodiversity net gains applies, the planning authority will be required to secure a biodiversity gain condition as a pre-commencement requirement. The biodiversity gain condition has its own separate statutory basis, as a planning condition under paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 and should be included as an informative within the decision notice. The biodiversity gain condition should secure the provision of a Biodiversity Gain Plan prior to commencement, which includes the following:

- a) A Biodiversity Gain Plan form (Ideally using the Government’s template: <https://www.gov.uk/government/publications/biodiversity-gain-plan>)
- b) The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values.
- c) Pre and post development habitat plans.
- d) Legal agreement(s)
- e) Biodiversity Gain Site Register reference numbers (if using off-site units).
- f) Proof of purchase (if buying statutory biodiversity credits at a last resort).

Additional comments – Biodiversity enhancements	
Reasonable biodiversity enhancements for protected, Priority and threatened species will be required 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 details should be outlined within a separate Biodiversity Enhancement Strategy to be secured as a condition of any consent.	
ANY RECOMMENDED CONDITIONS TO BE APPLIED:	
<ul style="list-style-type: none"> N/A 	
ANY RECOMMENDED INFORMATIVES TO BE APPLIED:	
<ul style="list-style-type: none"> N/A 	
IN THE CASE OF DISCHARGE OF CONDITIONS ONLY:	
(Please confirm which condition(s) is/are being discharged)	
<ul style="list-style-type: none"> N/A 	
BIODIVERSITY NET GAIN (BNG) SECTION	
HAVE MINIMUM NATIONAL INFORMATION REQUIREMENTS BEEN PROVIDED (PPG paragraph 11):	
Confirmation that development is subject to statutory biodiversity gain condition	TBC
Pre-development Habitat Plan of existing onsite habitat (to scale)	No
Pre-development Habitat Value (on date of application or earlier)	No
Completed Metric Calculation Tool	No
Statement of Habitat Degradation where present (with dates and details)	N/A
Reason for proposing an earlier date if applicable (ie. degradation)	N/A
Description of Irreplaceable Habitat where present	N/A
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)	TBC
ON-SITE AND OFF-SITE PROPOSALS PRESENT:	
These should be secured and monitored for 30 years	
Applicant-owned <u>significant onsite</u> BNG is proposed	TBC
Off-site BNG is proposed (eg. BNG units provided to achieve 10% BNG uplift either on applicant-owned land, purchased units or statutory credits) PLEASE NOTE: this is indicative only , confirmed at Biodiversity Gain Plan condition stage	TBC
TYPE OF SIGNIFICANT ON-SITE HABITAT PROPOSED: (using the current government definition ¹)	
Medium or High Distinctiveness	TBC
Large number of units at Low Distinctiveness	TBC
Significant increase in Distinctiveness, Condition or Area	TBC

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.