

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	23/00982/OUT
ADDRESS	Land To The Rear Of The Cottage 34 Keats Lane Earl Shilton Leicestershire
DESCRIPTION OF DEVELOPMENT	Outline Planning permission for residential development of up to 10 dwellings (some matters reserved except for scale and access)
PLANNING CASE OFFICER	Alex Jelley
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Michael McCoy
DATE OF COMMENTS	13 January 2026
ECOLOGICAL DOCUMENTS REVIEWED:	
Biodiversity Net Gain Assessment (Three Shire Ltd, Jun 2024)	
SUMMARY RECOMMENDATION:	
No comment	
No objection (for recommended conditions or informatives- see below)	
Recommend Refusal	
Holding Objection - Further information required	✓
REASON FOR RECOMMENDATION:	
- These documents have remained unchanged from the previous ecology comments with the metric still showing a loss of -74.18% in habitat. As per the previous ecology comments: <i>“As this application is pre-statutory BNG with no Biodiversity Gain plan condition, we will need to see how net gain will be achieved at this stage as per the NPPF, CH. 15 para 187 part d) – “minimising impacts on and providing net gains for biodiversity”</i> <i>Therefore, we will need to see an updated metric to show how net gain will be achieved or information on any off-site compensation which will need to be secured”.</i> - Once a metric and BNG report that shows net gain is achievable, the following conditions below should be applied.	
ANY RECOMMENDED CONDITIONS TO BE APPLIED:	

• No works shall take place until a Construction Environment Management Plan for biodiversity (CEMP: Biodiversity) has been submitted to and approved in writing by the LPA. The CEMP shall include the following details: • Identification of potentially damaging construction activities; • Practical measures and sensitive working practices to avoid/reduce impacts on habitats and protected species, such as bats, during construction; • Timing of works to avoid harm to nesting birds; • Measures to ensure safeguarding of priority mammals such as hedgehogs during works; and • Responsible persons for overseeing sensitive works; The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the LPA • Production of a bat-friendly sensitive lightning plan should be conditioned which will require review and approval by a bat ecologist and submission to the LPA. • A Biodiversity Enhancement and Management Plan (BEMP) to include details on specification and installation of suggested ecological enhancements including bird boxes, bat bricks, hedgehog gravel boards and native planting which should clearly be marked on the final landscape plan
ANY RECOMMENDED INFORMATIVES TO BE APPLIED:
• N/A
IN THE CASE OF DISCHARGE OF CONDITIONS ONLY:
(Please confirm which condition(s) is/are being discharged)
• N/A

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.

