
From: PlaceServicesEcology@essex.gov.uk
Sent: 15 September 2025 14:53
To: Planning Folder New
Cc: planning.ecology@leics.gov.uk
Subject: Ecology Response_25/00542/FUL_H&B_15-09-2025
Attachments: Response_05931(1).pdf

Categories: Shaun

Good Afternoon Sullivan,

Please find attached our comments on the above planning application.

Best regards,

Olivia Larter (Leics Apps)

Place Services, E4 Zone 3, County Hall, Chelmsford, Essex, CM1 1QH
w: www.placeservices.co.uk

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	25/00542/FUL
ADDRESS	Trout Ponds Farm Twycross Road Sheepy Magna Leicestershire
DESCRIPTION OF DEVELOPMENT	Proposed change of use of existing livery buildings and hardstanding to storage and distribution (Class B8)
PLANNING CASE OFFICER	Sullivan Archer
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Olivia Larter
DATE OF COMMENTS	12 September 2025
ECOLOGICAL DOCUMENTS REVIEWED:	
• Preliminary Ecological Appraisal (Midnorth Ecology, April 2025) • Preliminary Roost Assessment (Midnorth Ecology, April 2025) • Nocturnal Emergence Survey report (Midnorth Ecology, May 2025)	
SUMMARY RECOMMENDATION:	
No comment	☐
No objection (for recommended conditions or informatives- see below)	☐
Recommend Refusal	☐
Holding Objection - Further information required (Mandatory BNG)	☒
REASON FOR RECOMMENDATION:	
• We have reviewed the documents supplied by the applicant, and we are not satisfied that appropriate information with regard to mandatory biodiversity net gains has been supplied for the application prior to determination. The reasons for this are outlined below: Biodiversity Net Gain (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 amended application form and revised Proposed Site Plan (Ref. 2023-1043-CoU-200D) and upon further consideration, we believe that mandatory BNG does apply, due to the proposed development including a hardstanding area which is	

classed as built development and is over 25m² threshold (2182m² of Cropland to Developed land; sealed surface).

- Therefore, based on these further amendments, we are not satisfied that appropriate information has been provided prior to determination, as mandatory biodiversity net gains apply. We therefore indicate that the following further information is now required to support his application:
 - a) A baseline assessment and map of habitats on site is required.
 - b) Condition assessment sheets are required for any applicable habitats.
 - c) An Excel copy of the Statutory Biodiversity Metric – Calculation Tool is required
- We also note that aerial imagery indicates that site clearance may have occurred after the 30th January 2020, which does not relate to an approved application. As a result, as the proposals have likely resulted in a loss of on-site biodiversity value ('degradation'), the following should be submitted in line with the Biodiversity Net Gain PPG:
 - a) a statement to the effect that these activities have been carried out;
 - b) the date immediately before these activities were carried out;
 - c) the pre-development biodiversity value of the onsite habitat on this date;
 - d) the completed metric calculation tool showing the calculations, and
 - e) any available supporting evidence of this.

Additional Comments:

- We note that the results of the emergence survey on the building on site have now been provided (Nocturnal Emergence Survey report (Midnorth Ecology, May 2025)) and that no evidence of roosting bats were recorded during the survey, therefore we are satisfied that precautionary measures as recommended in the Nocturnal Emergence Survey report (Midnorth Ecology, May 2025) provide sufficient mitigation. However, foraging and commuting activity was recorded, whilst the wider connecting landscape offers good suitability for foraging and commuting bats. Therefore, we recommend that any new lighting proposed is included within a sensitive lighting strategy for bats following Guidance Note 08/23 (Institute of Lighting Professionals) and secured as a condition of any consent.
- The reasonable biodiversity enhancement measures included within the PEA, should be detailed within a separate Biodiversity Enhancement Strategy and secured by a condition of any consent. This is necessary to provide net gains for Priority and threatened species in line with paragraph 187d of the NPPF.

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

- N/A

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

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	Yes
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)	No

Reason for proposing an earlier date if applicable (ie. degradation)	No
Description of Irreplaceable Habitat where present	No
SMALL SITES METRIC ONLY: "Competent person" information (ie. qualifications, skills, experience)	No
BNG METRIC INFORMATION missing or incorrect:	
Incomplete or incorrect cells are shown in metric (eg. habitat quantity, type or condition, strategic significance)	N/A
ON-SITE AND OFF-SITE PROPOSALS PRESENT: These should be secured and monitored for 30 years	
Applicant-owned significant onsite 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

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)

¹ <https://www.gov.uk/guidance/make-on-site-biodiversity-gains-as-a-developer#significant-on-site-enhancements>

	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.