

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley & Bosworth Council
APPLICATION NUMBER	25.00078.FUL
ADDRESS	Island Lane Farm Ashby Road Stapleton Leicester Leicestershire
DESCRIPTION OF DEVELOPMENT	New showroom facility with office space
PLANNING CASE OFFICER	Sullevan Archer
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Kirsten Hunter
DATE OF COMMENTS	14 th March 2025
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	
Condition recommended	✓
Informative recommended	✓
SUMMARY OF ECOLOGICAL DOCUMENTS CONSIDERED:	
• Location & Block Plans 23-389 PL01 Rev B; • Proposed Plan & Streetscene Elevation Dwg No 24-412 P02 Rev A; • BNG Metric; • Biodiversity Net Gain Statement	
REASON FOR RECOMMENDATION PROVIDED:	
• The Biodiversity Net Gain Statement provides a satisfactory evaluation of baseline habitats and demonstrates a 10% net gain in Biodiversity in achievable onsite, as required by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). • Degradation has been noted (partial hedgerow removal) and accounted for within the Metric. • The post-development recommendations within the report and BNG metric should inform the proposed landscape scheme to ensure 10% is achievable. This should be evidenced through a Landscape and Ecological Management Plan (LEMP) which can form a pre-commencement condition.	

- The grassland on site is of low value to ecology given its setting, condition and management regime. However, as the hedgerow is suitable for breeding birds, hedgerow works should be completed outside the breeding bird season. Should this not be possible, breeding bird checks should be undertaken prior to removal of the hedgerow by a competent ecologist. These checks should be carried out no longer than 24 hours before vegetation removal to ensure no birds have started nest building since the ground level tree roost assessment was undertaken. - The native hedgerow with trees onsite forms part of a potential Local Wildlife Site (LWS) which encompasses Hinckley Road/Bosworth Road Hedgerows, Verge & Trees. The BNG metric indicates this will be retained and enhanced. Details of this enhancement should be included within the Habitat Management and Monitoring Plan (HMMP). Appropriate protection measures should be in place to ensure retained habitat is protected during the proposed works.	
BIODIVERSITY NET GAIN (BNG) ESSENTIAL QUESTIONS:	
Is there irreplaceable habitat present?	X
Is there habitat degradation present?	✓ - see above
Is there applicant-owned off-site or significant onsite BNG required to be secured and monitored for 30 years?	X
If significant habitat is present, please list using the PPG definitions : N/A	
Are there any remaining BNG units which need to be provided outside of applicant owned land? eg. purchased through the government register as BNG units or statutory credits (PLEASE NOTE: this is indicative only and confirmed at condition discharge stage)	X
BIODIVERSITY NET GAIN (BNG) BASELINE PRE-DEVELOPMENT VALUE:	
Is further information required before agreement of baseline pre-development value ?	X
Are there incomplete or incorrect cells in the Statutory Metric?	X
Is there incomplete or incorrect habitat information (quantity, type, condition)?	X
DATE PROVIDED FOR STATUTORY METRIC WHERE THIS HAS BEEN REVIEWED AND AGREED (for decision notice purposes):	
ANY RECOMMENDED CONDITIONS TO BE APPLIED:	
- No development shall take place (including ground works or vegetation clearance) until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following details: - description and evaluation of the features to be created/enhanced - aims and objectives of management - appropriate management options for achieving aims and objectives - prescriptions for management actions - work schedule - species/seed mixes to be planted/sown - ongoing monitoring and remedial measures The approved plan will be implemented in accordance with the approved details.	
ANY RECOMMENDED INFORMATIVES TO BE APPLIED:	

- Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore, vegetation removal should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person. - Prior to commencement of works, a Biodiversity Gain Plan must be submitted, along with a Habitat Management and Monitoring Plan (HMMP) detailing how net gain will be achieved and secured for a period of 30 years.
IN THE CASE OF DISCHARGE OF CONDITIONS ONLY: (Please confirm which condition(s) is/are being discharged)

Note for applicants: Please be aware that this specialist advice is provided to the Local Planning Authority through a Service Level Agreement between the Local Planning Authority and Leicestershire County Council.

If you have any queries about this advice, 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 as part of this service.

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.