

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley & Bosworth Borough Council
APPLICATION NUMBER	24/00969/FUL
ADDRESS	Caterpillar UK Ltd Peckleton Lane Desford Leicester Leicestershire
DESCRIPTION OF DEVELOPMENT	Reconfiguration and expansion of existing staff car park including new cycle and motorcycle stores and solar pv canopies.
PLANNING CASE OFFICER	Joe Fleetwood
DEPARTMENT	
	Ecology
PLANNING ECOLOGY OFFICER	
	Kirsten Hunter
DATE OF COMMENTS	
	18 th November 2024
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	☒
Condition recommended	
Informative recommended	
SUMMARY OF ECOLOGICAL DOCUMENTS CONSIDERED:	
• Preapp comments by LCC Ecology relating to 24/10044/PREHMO (via email); • Biodiversity Metric; • Biodiversity Net Gain Report by Estrada Ecology, Sept 2024; • Landscape Strategy 1 and 2; • Proposed Site Layout; • Site Location Plan; • Preliminary Ecological Appraisal by Estrada Ecology, March 2024	
REASON FOR RECOMMENDATION PROVIDED:	
• The Preliminary Ecological Appraisal provides a satisfactory evaluation of the Site's potential for supporting protected and priority species and impacts of the proposed development on those species, existing habitats and wider area. Preliminary roost assessments for bats were carried out by an appropriately licenced individual and limitations were highlighted. While the survey was undertaken outside the optimal time of year for botanical surveys, given the predominance of hardstanding on Site, the habitat evaluation is considered to be accurate.	

• Recommendations should be carried out as per the report to best practise guidance including suitable lighting scheme for bats as indicated in Section 6.3.2.3 which can be conditioned. • A Biodiversity Enhancement Management Plan (BEMP) is recommended for the proposed Biodiversity Enhancements detailed in Section 7 of the PEA.
BIODIVERSITY NET GAIN (BNG) specific comments:
• A full working excel version of the metric should be provided for validation. • There is a discrepancy between baseline habitats mapped in the BNG Report compared with those mapped in the PEA, in particular the extent of mixed and bramble scrub which will have a bearing on the outcome of the BNG score. This should be clarified. • The current proposed scheme does not achieve a minimum of 10% BNG as required by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). • As such, further off-setting would be required to achieve 10%, through securing of further offsite land which must be registered as offsite and/or through purchasing of credits from a Habitat Bank. • Prior to commencement of works, a Biodiversity Gain Plan must be submitted based on the finalised scheme, detailing how net gain will be achieved and secured for a period of 30 years, for both onsite and offsite.
FURTHER INFORMATION REQUIRED:
• BNG excel spreadsheet. • Evidence of further offsite compensation or purchase of habitat bank credits.
AMENDMENTS RECOMMENDED:
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RECOMMENDED CONDITIONS TO BE APPLIED:
•
RECOMMENDED INFORMATIVES TO BE APPLIED:
•
RECOMMENDED SECTION 106 REQUIREMENT (standard clause, contribution amount, trigger for payment)
•
DISCHARGE OF CONDITIONS ONLY: (Please confirm which condition(s) is/are being discharged)
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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.