

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	25/00713/FUL
ADDRESS	Ivy House Farm Bilstone Road Congerstone Shackerstone Nuneaton Leicestershire CV13 6LW
DESCRIPTION OF DEVELOPMENT	Change of use of land for the siting of self-storage containers
PLANNING CASE OFFICER	Christopher Brown
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Alice Burgess ACIEEM
DATE OF COMMENTS	10/11/25
ECOLOGICAL DOCUMENTS REVIEWED:	
• Small Sites Biodiversity Net Gain Metric Calculatoon Tool (Charlotte Skinner, July 2025) • Preliminary Ecological Appraisal (PEA) & Biodiversity Net Gain (BNG) Report (Arbor Vitae Environment Ltd, July 2025)	
SUMMARY RECOMMENDATION:	
No comment	
No objection (for recommended conditions or informatives- see below)	✓
Recommend Refusal	
Holding Objection - Further information required	
REASON FOR RECOMMENDATION:	
• The PEA report has been reviewed and is satisfactory to show the site has been assessed for its potential to support protected species. No further surveys have been deemed required. However, the recommended sensitive lighting scheme should be implemented. • 10% BNG has been achieved on site; however, proposed habitat plans have not been provided at this stage, so it is unclear as to where on-site habitat creation is proposed. • If BNG is being provided on applicant-owned land, and is either off-site or on-site significant, this BNG land needs to be secured and managed for a term of 30 years. • If this is being secured through a Section 106 agreement with the determining authority, this will also need to be monitored for compliance during this 30-year term and a fee will be charged by the determining authority for this, through an appropriate clause in the Section 106 agreement against the current Charging Schedule. • 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 and monitored for a period of 30 years.	

ANY RECOMMENDED CONDITIONS TO BE APPLIED:	
- The development hereby approved shall be implemented in strict accordance with the measures stated in section 6 of the Preliminary Ecological Appraisal (PEA) & Biodiversity Net Gain (BNG) Report (Arbor Vitae Environment Ltd, July 2025) unless otherwise agreed in writing by the Local Planning Authority. - No development shall take place (including ground works or vegetation clearance) until a Habitat Management and Monitoring Plan (HMMP) has been submitted to and approved in writing by the Local Planning Authority. - The approved HMMP shall be adhered to and implemented, unless otherwise agreed in writing by the Local Planning Authority. - Reason: to ensure that protected species and habitats are taken into consideration according to legislation under the Habitats and Species Regulations (2017) and the Wildlife and Countryside Act (1981) and their amendments.	
ANY RECOMMENDED INFORMATIVES TO BE APPLIED:	
N/A	

PRE-DEVELOPMENT HABITAT BASELINE FOR BIODIVERSITY NET GAIN (BNG)	
THIS IS THE MINIMUM NATIONAL ESSENTIAL INFORMATION REQUIREMENTS (PPG paragraph 11) AND MUST BE SATISFIED PRIOR TO DETERMINATION:	
Confirmation that development is subject to statutory biodiversity gain condition	Y
Pre-development Habitat Plan of existing onsite habitat (to scale)	Y
Pre-development Habitat Value (on date of application or earlier)	Y
Completed Metric Calculation Tool	Y
Statement of Habitat Degradation where present (with dates and details)	N
Reason for proposing an earlier date if applicable (ie. degradation)	N
Description of Irreplaceable Habitat where present	N
SMALL SITES METRIC ONLY: "Competent person" information (ie. qualifications, skills, experience)	Y
BNG METRIC INFORMATION missing or incorrect:	
Incomplete or incorrect cells are shown in metric (eg. habitat quantity, type or condition, strategic significance)	N

POST DEVELOPMENT PROPOSALS FOR BIODIVERSITY NET GAIN (BNG)	
PLEASE NOTE: THIS IS NOT ESSENTIAL INFORMATION PRIOR TO DETERMINATION. Post-development information is indicative only ; final proposals must be confirmed at Biodiversity Gain Plan statutory condition stage.	
ON-SITE SIGNIFICANT* BNG is proposed (If Y, please see later table)	Y
OFF-SITE APPLICANT-OWNED BNG is proposed (ie. Land shown on plan within the "blue line" boundary and inserted in "offsite" tab of statutory metric)	N
PLEASE NOTE: Where applicant-owned off-site or significant on-site BNG proposals are present, these should be secured and monitored for 30 years. The determining authority is responsible for monitoring for compliance.	
OFF-SITE PURCHASE** of BNG	
BNG units purchase from a third party to achieve 10% BNG uplift	N

Statutory biodiversity credits	N
PLEASE NOTE**: Where purchased BNG units are proposed, any purchased units from the national register are secured and monitored for 30 years by conservation covenant, separately from this planning application process.	

POST DEVELOPMENT PROPOSALS: *TYPE OF SIGNIFICANT ON-SITE HABITAT PROPOSED: (using the current government definition ¹)		
SIGNIFICANCE AS DEFINED IN PPG	POST DEVELOPMENT HABITAT TYPE PROPOSED	NUMBER OF UNITS
Medium or High Distinctiveness	Individual urban/rural tree	0.5972
Large number of units at Low Distinctiveness	-	-
Significant increase in Distinctiveness, Condition or Area	-	-

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.

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

