

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	25/01150/FUL
ADDRESS	Land Adj. 6 Hunts Close Botcheston Leicestershire
DESCRIPTION OF DEVELOPMENT	Erection of three poly tunnels and storage barn
PLANNING CASE OFFICER	Faizal Jasat
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Richard Kelly
DATE OF COMMENTS	15 June 2026
ECOLOGICAL DOCUMENTS REVIEWED:	
• Application Form • Site Location Plan • Planning Statement • Elevations and Floor Plans of Poly tunnels and storage barn • Landscaping Statement • Design and Access Statement • Preliminary Ecological Assessment and Biodiversity Net Gain Assessment (Cossa Ecology, May 2026) • Statutory BNG Metric (Cossa Ecology, May 2026)	
SUMMARY RECOMMENDATION:	
No comment	
No objection (for recommended conditions or informatives- see below)	
Recommend Refusal	
Holding Objection - Further information required	✓
REASON FOR RECOMMENDATION:	
• A Preliminary Ecological Assessment and Biodiversity Net Gain Assessment completed by Cossa Ecology in May 2026 has been submitted with the application which is mostly and reasons outlined below. BNG Specific Comments • Planning Application Form 'Biodiversity net gain' section requires updating as it currently states the application meets the de minimis exemption.	

- The Site Location Plan redline boundary and area covered by the Preliminary Ecological Assessment and Biodiversity Net Gain Assessment do not correlate. Further clarification is required to the extent of the redline boundary.
- Habitat degradation has taken place with a cleared area of bramble and blackthorn scrub. Therefore, a habitat degradation statement is required and BNG Metric updating accordingly in accordance with Biodiversity Net Gain Guidance Paragraph 036 Reference ID: 74-036-20240214, including earlier date proposed.
- Once clarification has been received on the redline boundary further comments can be provided in relation to BNG however, an initial review has been undertaken:
- BNG Metric - A-1 On-Site Habitat Baseline does not include parcel of land labelled G3.
- Parcels of land labelled G1, G2, G3 should be included within the user comments to correlate with the baseline habitat map.
- **There is a holding objection until the above are addressed.**
- The below comments are a post-determination BNG matter however, must be noted.
- BNG Metric - A-2 On-Site Habitat Creation – Ref 4 – ‘Developed land; sealed surface’ – relates to poly tunnels however Habitat reference number relates to Modified Grassland F2 and poly tunnels. This will need defining on the post development habitat map.
- BNG Metric - B-2 On-Site Hedge Creation – Newly created hedgerows will be required to be displayed on the post development habitat map.
- The Planning Statement, Landscaping Statement and Design and Assess Statement refer to a 10 m × 140 m native woodland and hedgerow planting strip along bottom boundary whereas the Preliminary Ecological Assessment and Biodiversity Net Gain Assessment refer to two internal native hedgerows, hedgerow along the southern boundary and planting 14 new trees. These contradictions will need to be confirmed at the Biodiversity Gain Plan stage.

Construction and Environmental Management Plan (Biodiversity)

- A Construction and Environmental Management Plan (Biodiversity) will be required to protect the following habitats and species during construction in relation to noise, pollution, dust and hydrology for: retained hedgerows and trees.
- A Precautionary Working Method Statement for: amphibians, reptiles, birds and hedgehogs as suitable habitat is present on site and in the wider landscape.
- **Please see recommended Conditions.**

Birds

- It is recommended that any vegetation clearance takes place outside of the bird nesting season March to August inclusive. If this is not possible a nesting bird check will be required, no more than 24 hours prior to vegetation removal by a suitable qualified ecologist. Please see recommended Informatives.

Bats

- Artificial lighting may lead to an increase in disturbance to bat foraging and commuting routes therefore, it is recommended a low impact lighting strategy will be adopted for the site. A detailed lighting scheme is recommended to be approved by a licensed bat ecologist following best practice guidelines outlined in Bats and Artificial Lighting at Night (ILP, 2023).

BNG Specific Comments

- Currently, the 10% Biodiversity Net Gain is achievable on-site for Habitat Units +13.47% and Hedgerow Units +96.45%.
- **A Biodiversity Gain Plan will be required.**

• The significant on-site enhancements will need securing for a period of 30 years for monitoring and compliance. • A Habitat Management and Monitoring Plan (HMMP) and biodiversity gain plan will need to be secured by condition. Please see recommended Conditions.
ANY RECOMMENDED CONDITIONS TO BE APPLIED:
• CEMP: Biodiversity - No development shall take place (including ground works or vegetation clearance) 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: A. Identification of potentially damaging construction activities on hedgerows and trees B. practical measures and sensitive working practices to avoid or reduce impacts during construction on amphibians, reptiles, birds and hedgehogs C. timing of works to avoid harm to nesting birds D. responsible persons for overseeing sensitive works E. use of protective fencing where required to safeguard hedges and trees • The approved CEMP shall be adhered to and implemented throughout the construction period of each phase, unless otherwise agreed in writing by the LPA. • HMMP - The development shall not commence until a 30 year Habitat Monitoring and Management Plan (HMMP), prepared in accordance with an approved Biodiversity Gain Plan, has been submitted to and approved in writing by the local planning authority. The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain the following: a) Description and evaluation of the features to be managed; b) Ecological trends and constraints on site that may influence management; c) Aims, objectives and targets for management - links with local and national species and habitat action plans; d) Description of the management operations necessary to achieving aims and objectives; e) Preparation of a works schedule, including annual works schedule; f) Details and a timetable of the monitoring needed to measure the effectiveness of management; g) Details of the persons responsible for the implementation and monitoring; h) mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets; and i) Details of methodology and frequency of monitoring reports to be submitted to the Local Planning Authority to assess biodiversity gain • (To enhance biodiversity, and in accordance with the National Planning Policy Framework and paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990)
ANY RECOMMENDED INFORMATIVES TO BE APPLIED:
• Nesting Birds - Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore, building demolition and significant alteration or vegetation clearance should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person. • External Lighting - Lighting Artificial lighting may lead to an increase in disturbance to bat foraging and commuting routes therefore, it is recommended a low impact lighting strategy will be adopted for the site. A detailed lighting scheme is recommended to be approved by a licensed bat ecologist following best practice guidelines outlined in Bats and Artificial Lighting at Night (ILP, 2023).

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)	TBC
Description of Irreplaceable Habitat where present	N/A
SMALL SITES METRIC ONLY: "Competent person" information (ie. qualifications, skills, experience)	N/A
BNG METRIC INFORMATION missing or incorrect:	
Incomplete or incorrect cells are shown in metric (eg. habitat quantity, type or condition, strategic significance)	Y

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		N/A
Large number of units at Low Distinctiveness	-Native hedgerow	0.98
Significant increase in Distinctiveness, Condition or Area	-Modified grassland	0.42

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

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.

