

**CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:**

**ECOLOGY AND BIODIVERSITY PLANNING ADVICE**

<b>COUNTY, DISTRICT OR BOROUGH</b>	Hinckley and Bosworth Borough Council
<b>APPLICATION NUMBER</b>	25/00523/FUL
<b>ADDRESS</b>	Wiggs Farm Wood Road Nailstone Coalville Leicestershire
<b>DESCRIPTION OF DEVELOPMENT</b>	The erection of a B8 distribution hub with ancillary offices, quality control office and canopy, maintenance units, and gatehouse, and associated infrastructure and landscaping
<b>PLANNING CASE OFFICER</b>	Matt Jedruch
<b>DEPARTMENT</b>	Ecology
<b>PLANNING ECOLOGY OFFICER</b>	Michael McCoy
<b>DATE OF COMMENTS</b>	06 October 2025
<b>ECOLOGICAL DOCUMENTS REVIEWED:</b>	
<ul style="list-style-type: none"> <li>• Figure 11.1 Baseline Habitat Map - V2 August 2025</li> <li>• Appendix 11.2 Baseline Condition Tables V2 August 2025</li> <li>• Appendix 11.2 - SBM Draft for planning submission v2 (dated 2nd September 2025)</li> <li>• Appendix 11.7 Skylark Mitigation (Envanve, 2025)</li> </ul>	
<b>SUMMARY RECOMMENDATION:</b>	
No comment	
No objection (for recommended conditions or informatives- see below)	
Recommend Refusal	
Holding Objection - Further information required	✓
<b>REASON FOR RECOMMENDATION:</b>	
<ul style="list-style-type: none"> <li>• The baseline habitat map has now been amended to include 'artificial unvegetated, unsealed surface' to match the BNG metric.</li> <li>• The condition assessment sheet shows hedgerow h3 to be 'moderate' however, the BG metric shows h3 to be 'poor' condition. – <b>can this be changed please.</b></li> <li>• Further information is needed on skylark mitigation details.</li> <li>• The Skylark mitigation land will need to be legally secured between the applicant and landowner, the Determining Authority will need sight of this agreement therefore, a planning condition or similar will be necessary.</li> </ul>	
<b>ANY RECOMMENDED CONDITIONS TO BE APPLIED:</b>	
<ul style="list-style-type: none"> <li>• The development shall not commence until a 30-year Habitat Monitoring and</li> </ul>	

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)

- 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
- B. practical measures and sensitive working practices to avoid or reduce impacts during construction on Great Crested Newts, reptiles, bats, badgers, INNS – including Method Statements & Ecological Clerk of Works (ECOW)
- C. timing of works to avoid harm to nesting birds
- D. responsible persons for overseeing sensitive works
- E. use of protective fencing where required [...insert features to be protected...]

The approved CEMP shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the LPA.

- The development hereby approved shall be implemented in strict accordance with the mitigation measures stated in section 11.6: Mitigation, Enhancement and Residual Effects of the Environmental Statement Volume 1 (Envance, 2025).
- No development shall take place until a biodiversity enhancement scheme has been submitted to and approved in writing by the LPA. Enhancements shall include (but is not limited to) woodcrete/integrated bat boxes, bat tubes, woodcrete/integrated bird boxes, the make/model and their locations. Any enhancement measures need to be shown on all relevant submitted plans. All works are to proceed strictly in accordance with the approved scheme.
- No development shall take place (including ground works or vegetation clearance) until an updated badger survey has been submitted to and approved in writing by the Local Planning Authority. This survey is to be carried out within 3 months of the likely commencement of works on site. It is to include details on mitigation measures for badgers if necessary (such as badger gates). All works are to proceed strictly in accordance with the approved document.

<b>ANY RECOMMENDED INFORMATIVES TO BE APPLIED:</b>	
<ul style="list-style-type: none"> <li>All bat species are legally protected under the Wildlife &amp; Countryside Act 1981 (as amended); as such, trees to be removed will require inspection for suitable features that could be used by roosting bats prior to felling. This can be carried out by the arborist completing the works, however if suitable roosting features are identified, evidence of bats, or indeed live bats are found, works should cease, and advice obtained from a licenced bat ecologist.</li> <li>Japanese knotweed is listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) as plants that may not be planted or otherwise caused to grow in the wild. If it is necessary for Japanese knotweed to be removed, it is important to note that Schedule 9 invasive plants are classified as controlled waste and should be handled and disposed of accordingly at a licenced waste facility.</li> </ul>	
<b>IN THE CASE OF DISCHARGE OF CONDITIONS ONLY:</b>	
(Please confirm which condition(s) is/are being discharged)	
<ul style="list-style-type: none"> <li>N/A</li> </ul>	
<b>BIODIVERSITY NET GAIN (BNG) SECTION</b>	
<b>HAVE MINIMUM NATIONAL INFORMATION REQUIREMENTS BEEN PROVIDED (PPG paragraph 11):</b>	
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/A
Reason for proposing an earlier date if applicable (ie. degradation)	N/A
Description of Irreplaceable Habitat where present	N/A
<b>SMALL SITES METRIC ONLY:</b> "Competent person" information (ie. qualifications, skills, experience)	N/A
<b>BNG METRIC INFORMATION missing or incorrect:</b>	
Incomplete or incorrect cells are shown in metric (eg. habitat quantity, type or condition, strategic significance)	Y
<b>ON-SITE AND OFF-SITE PROPOSALS PRESENT:</b>	
<b>These should be secured and monitored for 30 years</b>	
Applicant-owned <u>significant onsite</u> BNG is proposed	Y
Off-site BNG is proposed (eg. BNG units provided to achieve 10% BNG uplift either on applicant-owned land, purchased units or statutory credits)	Y
<b>PLEASE NOTE:</b> this is <b>indicative only</b> , confirmed at Biodiversity Gain Plan condition stage	
<b>TYPE OF SIGNIFICANT ON-SITE HABITAT PROPOSED:</b> (using the current government definition <sup>1</sup> )	
Medium or High Distinctiveness	Y
Large number of units at Low Distinctiveness	N
Significant increase in Distinctiveness, Condition or Area	N

<sup>1</sup> <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.

