

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	25/00589/OUT
ADDRESS	10 Jacknell Road Hinckley Leicestershire LE10 3BS
DESCRIPTION OF DEVELOPMENT	Outline planning permission for an extension to an existing general industrial unit with parking. All matters reserved except (Access, Layout and Scale)
PLANNING CASE OFFICER	Ashleigh Gade
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Olivia Larter
DATE OF COMMENTS	30 July 2025
ECOLOGICAL DOCUMENTS REVIEWED:	
• Site Location as Existing and Block Plan as Proposed (GBa&e, June 2025) • Design, Access & Planning Statement (GBa&e, June 2025)	
SUMMARY RECOMMENDATION:	
No comment	☐
No objection (for recommended conditions or informatives- see below)	☒
Recommend Refusal	☐
Holding Objection - Further information required	☐
REASON FOR RECOMMENDATION:	
• We have reviewed the documents supplied by the applicant and we are satisfied that there is sufficient information available for determination of this application. Protected, Priority and Threatened Species • Although no ecological information has been supplied in relation to relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation, we have carried out a desktop study to help assess this, and the site consists of hardstanding offering limited ecological value. The existing building on site is constructed of corrugated steel which offers negligible suitability to bats. • However, due to the vegetated boundaries to the north and west of the site offering potential for roosting and good foraging and commuting habitat for bats, it is likely that any new lighting installed as part of the development will cause disturbance to bats. • Therefore, it is recommended that any new lighting proposed is set out within a bat sensitive lighting strategy in line with the guidance note 08/23 (Institute of Lighting	

Professionals) and secured as a condition of any consent. This should include directing lighting away from the northern and western boundaries.

- In addition, due to the site's location adjacent to ecological valuable habitat including hedgerow woodland, and waterbodies, it is possible that mobile species may enter the site from adjacent habitats. To minimise any residual risk to these species, it is recommended that an informative for general good practice mitigation is applied to any consent.

Biodiversity Net Gain (BNG)

- With regard to mandatory biodiversity net gains, it is highlighted that we have reviewed the submitted application form. Applications are required to deliver a mandatory 10% measurable biodiversity net gain, unless exempt under paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024. Therefore, we are satisfied that the submitted documents provide sufficient information that the development meets the de-minimis exemption. As a result, we are satisfied that the development is exempt from the statutory requirement of mandatory biodiversity net gains.
- However, reasonable biodiversity enhancement measures should be detailed within a separate Biodiversity Enhancement Strategy and secured by a condition of any consent. This is necessary to provide net gains for Priority and threatened species in line with paragraph 187d of the NPPF.

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

1. PRIOR TO BENEFICIAL USE: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

"Prior to beneficial use, a "lighting design strategy for biodiversity" in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for [... insert species...] and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and*
- b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.*

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority."

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

2. PRIOR TO BENEFICIAL USE: BIODIVERSITY ENHANCEMENT LAYOUT

"Prior to beneficial use, A Biodiversity Enhancement Layout shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Layout shall include the following:

- a) detailed designs or product descriptions for biodiversity enhancements; and*
- b) locations, orientations and heights for biodiversity enhancements on appropriate drawings.*

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter."

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended).

ANY RECOMMENDED INFORMATIVES TO BE APPLIED:

1. GENERAL GOOD PRACTICE MITIGATION TO AVOID ECOLOGICAL IMPACTS DURING THE CONSTRUCTION PHASE

To avoid killing or injuring small animals which may pass through the site during the construction phase, it is best practice to ensure the following measures are implemented:

- a) Trenches, pits or holes dug on site should be covered over at night. Alternatively, ramps (consisting of a rough wooden plank) or sloped/stepped trenches could be provided to allow animals to climb out unharmed;*
- b) materials brought to the site for the construction works should be kept off the ground on pallets to prevent small animals seeking refuge;*
- c) rubbish and waste should be removed off site immediately or placed in a skip, to prevent small animals using the waste as a refuge; and*
- d) should any protected species or evidence of protected species be found prior to or during the development, all works must immediately cease, and a suitably qualified ecologist must be contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.*

IN THE CASE OF DISCHARGE OF CONDITIONS ONLY:

(Please confirm which condition(s) is/are being discharged)

- N/A

BIODIVERSITY NET GAIN (BNG) SECTION

HAVE MINIMUM NATIONAL INFORMATION REQUIREMENTS BEEN PROVIDED (PPG paragraph 11):

Confirmation that development is subject to statutory biodiversity gain condition	Subject to de-minimis exemption
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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.