

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council	
APPLICATION NUMBER	25/00298/FUL	
ADDRESS	New Farm Hinckley Road Cadeby Nuneaton Leicestershire	
DESCRIPTION OF DEVELOPMENT	Erection of storage building (B8)	
PLANNING CASE OFFICER	Sullivan Archer	
DEPARTMENT	Ecology	
PLANNING ECOLOGY OFFICER	Charlotte Smith	
DATE OF COMMENTS	7 May 2025	
ECOLOGICAL DOCUMENTS:		
• Site Plans (De Ville & Lear Ltd., February 2025) • Design and Access Statement (Simon Cheshire Planning Ltd., March 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 note no ecological information has been provided. As a result, we have conducted a desk study to confirm the likely impacts upon designated sites, protected and Priority species and habitats. This included a review of Magic Maps, Leicestershire Biodiversity Information Service Records (accessed under licence) and aerial imagery. • Due to the already urban nature of the site, being used already as a storage yard and comprising entirely of hard standing, we are satisfied that there is sufficient ecological information available to support determination of this application. • We do recommend that reasonable biodiversity enhancements for protected, Priority and threatened species should be secured to provide bespoke species enhancements for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Strategy and should be secured by a condition of any consent. Enhancement measures could include putting up bird nest boxes, such as a swift box, on the new building.		

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate enhancement measures secured, the development can be made acceptable.	
ANY RECOMMENDED CONDITIONS TO BE APPLIED:	
1. PRIOR TO BENEFICIAL USE: BIODIVERSITY ENHANCEMENT STRATEGY <i>“Prior to occupation, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist, shall be submitted to and approved in writing by the local planning authority.</i> <i>The content of the Biodiversity Enhancement Strategy shall include the following:</i> <i>a) Purpose and conservation objectives for the proposed enhancement measures;</i> <i>b) detailed designs or product descriptions to achieve stated objectives;</i> <i>c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);</i> <i>d) persons responsible for implementing the enhancement measures; and</i> <i>e) details of initial aftercare and long-term maintenance (where relevant).</i> <i>The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.”</i> Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended)	
ANY RECOMMENDED INFORMATIVES TO BE APPLIED:	
N/A	
IN THE CASE OF DISCHARGE OF CONDITIONS ONLY: (Please confirm which condition(s) is/are being discharged)	
N/A	
BIODIVERSITY NET GAIN (BNG) SECTION	
MINIMUM NATIONAL INFORMATION REQUIREMENTS PROVIDED (PPG paragraph 11):	
Confirmation that development is subject to biodiversity gain condition	N/A
Pre-development habitat value (on date of application or earlier)	N/A
Reason for proposing an earlier date (if applicable)	N/A
Completed metric calculation tool	N/A
Statement of habitat degradation where present (with dates and details)	N/A
Description of irreplaceable habitat where present	N/A
Plan of onsite habitat pre-development (to scale)	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. strategic significance, habitat quantity, type or condition)	N/A
SIGNIFICANT ON-SITE ENHANCEMENT REQUIRED: (using the current government definition ¹)	

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

med/high distinctiveness	N/A
large number of units at low distinctiveness	N/A
significant in increase in distinctiveness, condition or area	N/A
BNG ADDITIONAL INFORMATION: - The de-minimis exemption, as set out under the Biodiversity Gain Requirements (Exemptions) Regulations 2024, applies to development that does not impact a Priority habitat and impacts less than: 25 square metres (5m by 5m) of on-site habitat 5 metres of on-site linear habitats (e.g. hedgerows or watercourse) - The de-minimis threshold refers to impact and not size of the red-line boundary. A development 'impacts' a habitat if it decreases the biodiversity value. - Providing that the development does not affect any more than 25m², we are satisfied that the development is exempt from the statutory requirement of mandatory biodiversity net gains.	
Applicant-owned off-site or significant onsite BNG is present, to be secured and monitored for 30 years	N/A
BNG units likely need to be provided to achieve 10% BNG uplift (purchased units or statutory credits) PLEASE NOTE: this is indicative only , confirmed at Biodiversity Gain Plan condition stage	N/A

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 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.
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