

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council	
APPLICATION NUMBER	25/00692/FUL	
ADDRESS	Land At Heath Road Bagworth Heath Bagworth Leicestershire	
DESCRIPTION OF DEVELOPMENT	Installation and operation of a ground-mounted solar farm with associated infrastructure for a period of 40 years	
PLANNING CASE OFFICER	Laura Ashton	
DEPARTMENT	Ecology	
PLANNING ECOLOGY OFFICER	Sue Hooton	
DATE OF COMMENTS	12 September 2025	
ECOLOGICAL DOCUMENTS REVIEWED:		
• Ecological Appraisal v002a (Edp, June 2025) • Skylark Mitigation Strategy (Edp, December 2024) • BNG condition assessment sheets • BNG Metric screenshots (completed 15 November 2024) • Arboricultural Survey Report ((Barton Hyett Associates, May 2025) • Tree Retention and Removal Plan (Barton Hyett Associates, June 2025) • Arboricultural Impact Assessment (Barton Hyett Associates, July 2025)		
SUMMARY RECOMMENDATION:		
No comment		☐
No objection (for recommended conditions or informatives- see below)		☐
Recommend Refusal		☐
Holding Objection - Further information required on Great crested newt and BNG		☒
REASON FOR RECOMMENDATION:		
• We have reviewed the documents listed above supplied by the applicant, relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation. • We are not satisfied that the LPA has certainty of likely impacts on GCN as the Ecological Appraisal has not confirmed if a mitigation licence or a non-licensed method statement can be used to manage the risk to killing and injury of these EPS. Further information is therefore needed prior to determination to ensure that any conditions meet the tests and the LPA has met its duty to avoid wildlife crime under s17 Crime and Disorder Act 1998.		

- Furthermore, the Local Planning Authority, as a competent authority, should have regard to the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended) when reaching planning decisions and must not leave this until the licence application stage. Therefore, if a European Protected Species Mitigation Licence is required for this application, appropriate mitigation measures to support the provision of the licence must also be outlined prior to determination to allow certainty to the LPA that a licence will likely be granted. - If the applicant decides to apply to be registered to be covered by this strategic mitigation scheme with Natural England's District Level Licensing for GCN in Leicestershire, the LPA will need an Impact Assessment and Conservation Payment Certificate (IACPC) document countersigned by Natural England as evidence of site registration prior to determination where this European Protected Species is likely to be present and affected by development. - We are not satisfied that appropriate information has been provided prior to determination because the full Statutory Biodiversity Metric tool is not available for review. LCC ecology requested this on 19/8/2025 and again on 12/9/2025 and it has not been provided. We will complete the BNG section below fully when this can be reviewed.	
ANY RECOMMENDED CONDITIONS TO BE APPLIED:	
•	
ANY RECOMMENDED INFORMATIVES TO BE APPLIED:	
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IN THE CASE OF DISCHARGE OF CONDITIONS ONLY: (Please confirm which condition(s) is/are being discharged)	
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BIODIVERSITY NET GAIN (BNG) SECTION	
HAVE MINIMUM NATIONAL INFORMATION REQUIREMENTS BEEN PROVIDED (PPG paragraph 11): Yes	
Confirmation that development is subject to statutory biodiversity gain condition	Yes
Pre-development Habitat Plan of existing onsite habitat (to scale)	Yes
Pre-development Habitat Value (on date of application or earlier)	Yes
Completed Metric Calculation Tool	No
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
SMALL SITES METRIC ONLY: "Competent person" information (ie. qualifications, skills, experience)	Choose an item.
BNG METRIC INFORMATION missing or incorrect:	
Incomplete or incorrect cells are shown in metric (eg. habitat quantity, type or condition, strategic significance)	Choose an item.
ON-SITE AND OFF-SITE PROPOSALS PRESENT: These should be secured and monitored for 30 years	
Applicant-owned significant onsite BNG is proposed	Choose an item.
Off-site BNG is proposed (eg. BNG units provided to achieve 10% BNG uplift either on applicant-owned land, purchased units or statutory credits) PLEASE NOTE: this is indicative only , confirmed at Biodiversity Gain Plan condition stage	No

TYPE OF <u>SIGNIFICANT ON-SITE</u> HABITAT PROPOSED: (using the current government definition ¹)	
Medium or High Distinctiveness	Choose an item.
Large number of units at Low Distinctiveness	Choose an item.
Significant increase in Distinctiveness, Condition or Area	Choose an item.

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>