

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	25/00187/FUL
ADDRESS	Kirkby Old Parks Farm Kirkby Lane Newbold Verdon Leicester Leicestershire LE9 9LN
DESCRIPTION OF DEVELOPMENT	Erection of agricultural building for hay and tractor/machinery storage
PLANNING CASE OFFICER	Sullivan Archer
DEPARTMENT	
	Ecology
PLANNING ECOLOGY OFFICER	Michael McCoy
DATE OF COMMENTS	20/03/2025
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	✓
Holding Objection - Further information required	
Condition recommended	
Informative recommended	
SUMMARY OF ECOLOGICAL DOCUMENTS CONSIDERED:	
• 'Biodiversity Metric Calculation' (PH, 2025), • 'Biodiversity Net Gain Report no. P2738_02' (Elton Ecology, 2025), • 'Preliminary Ecological Appraisal Report no P27388_01' (Elton Ecology, 2025).	
REASON FOR RECOMMENDATION PROVIDED:	
• The application shows significant net loss and does not follow the mitigation hierarchy. • Principle 2 of the Statutory Biodiversity Metric User Guide states that "The use of this biodiversity metric does not override existing biodiversity protections, statutory obligations, policy requirements, ecological mitigation hierarchy or any other requirements" • There was no attempt at mitigating the effects of habitat degradation with on-site creation or enhancements. • Therefore, the applicant should re-submit an application with designs to mitigate the habitat degradation on site, following the mitigation hierarchy.	
BIODIVERSITY NET GAIN (BNG) SPECIFIC COMMENTS:	
• The BNG metric showed a net loss of -1.35BU (-78.35%) in habitat units and a net loss of -	

0.97BU (-76.50%) in hedgerow units. The BNG report highlights that on-site gains will not be achievable and therefore recommends off-site habitat compensation. • There is Habitat degradation present. • There is significant habitat present which are: - Modified grassland - Other neutral grassland - Native hedgerow
FURTHER INFORMATION REQUIRED:
• N/A
AMENDMENTS RECOMMENDED:
• N/A
RECOMMENDED CONDITIONS TO BE APPLIED:
• N/A
RECOMMENDED INFORMATIVES TO BE APPLIED:
• N/A
RECOMMENDED SECTION 106 REQUIREMENT (standard clause, contribution amount, trigger for payment)
• N/A
DISCHARGE OF CONDITIONS ONLY: (Please confirm which condition(s) is/are being discharged)
• N/A

Note for applicants: Please be aware that this specialist advice is provided to the Local Planning Authority through a Service Level Agreement between the Local Planning Authority and Leicestershire County Council.

If you have any queries about this advice, 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 as part of this service.

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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