

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	26/00308/FUL
ADDRESS	Land Adjacent To 33 Merrylees Road Newbold Heath Newbold Verdon Leicestershire
DESCRIPTION OF DEVELOPMENT	Installation of a ground mounted panel solar PV array
PLANNING CASE OFFICER	Sophie Iliffe
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Karley Khan
DATE OF COMMENTS	11 June 2026
ECOLOGICAL DOCUMENTS REVIEWED:	
N/A	
SUMMARY RECOMMENDATION:	
No comment	
No objection (for recommended conditions or informatives- see below)	
Recommend Refusal	
Holding Objection - Further information required	✓
REASON FOR RECOMMENDATION:	
Upon review of the Proposed Installation Plan (ref: MS1-26-A2), Redline Boundary (ref: LT129238), Design and Access Statement (no ref/date), aerial imagery and Application Form, we require some additional information/clarification in order to assess the likely impact of the development on ecology and biodiversity. Details of further information required in order to determine this application are detailed below: <i>Biodiversity Net Gain (BNG);</i> - The application form states BNG does not apply as the site meets the exemption for de minimis. However, the BNG section also states the site is over 25 meters square and the site area is 272 sq. meters. Therefore, we have a holding objection for clarification on the site area, and should the site not meet the de minimis exemption, a full BNG assessment is required to be undertaken and submitted. <i>Protected and Priority Species;</i> - A review of aerial imagery shows at least one pond is located within 250m of the site. As such, we request an ecological assessment of the site be undertaken, in particular in	

relation to Great Crested Newts, and an accompanying ecology report with relevant plan(s) and photos, also submitted where relevant. The report should detail the results of the ecology survey work, mitigation and enhancements where relevant. This information would allow the planning application to be assessed in accordance with the requirements of the NPPF and ODPM Circular. The ecology work will need to be undertaken by suitably licenced and experienced ecologist(s), during the relevant optimal period and in accordance with the best practice guidance/methodology. Holding objection for ecological survey work to be undertaken and suitable report submitted where relevant. The results are required prior to determination because paragraph 99 of the ODPM Circular 06/2005 highlights that: <i>"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."</i>
ANY RECOMMENDED CONDITIONS TO BE APPLIED:
TBC
ANY RECOMMENDED INFORMATIVES TO BE APPLIED:
TBC
IN THE CASE OF DISCHARGE OF CONDITIONS ONLY:
(Please confirm which condition(s) is/are being discharged)
N/A

PRE-DEVELOPMENT HABITAT BASELINE FOR BIODIVERSITY NET GAIN (BNG)	
THIS IS THE MINIMUM NATIONAL ESSENTIAL INFORMATION REQUIREMENTS (PPG paragraph 11) AND MUST BE SATISFIED PRIOR TO DETERMINATION:	
Confirmation that development is subject to statutory biodiversity gain condition	TBC
Pre-development Habitat Plan of existing onsite habitat (to scale)	TBC
Pre-development Habitat Value (on date of application or earlier)	TBC
Completed Metric Calculation Tool	TBC
Statement of Habitat Degradation where present (with dates and details)	TBC
Reason for proposing an earlier date if applicable (ie. degradation)	TBC
Description of Irreplaceable Habitat where present	TBC
SMALL SITES METRIC ONLY: "Competent person" information (ie. qualifications, skills, experience)	TBC
BNG METRIC INFORMATION missing or incorrect:	
Incomplete or incorrect cells are shown in metric (eg. habitat quantity, type or condition, strategic significance)	TBC

POST DEVELOPMENT PROPOSALS FOR BIODIVERSITY NET GAIN (BNG)
PLEASE NOTE: THIS IS NOT ESSENTIAL INFORMATION PRIOR TO DETERMINATION.

Post-development information is indicative only ; final proposals must be confirmed at Biodiversity Gain Plan statutory condition stage.	
ON-SITE SIGNIFICANT* BNG is proposed (If Y, please see later table)	TBC
OFF-SITE APPLICANT-OWNED BNG is proposed (ie. Land shown on plan within the “blue line” boundary and inserted in “offsite” tab of statutory metric)	TBC
PLEASE NOTE: Where applicant-owned off-site or significant on-site BNG proposals are present, these should be secured and monitored for 30 years. The determining authority is responsible for monitoring for compliance.	
OFF-SITE PURCHASE** of BNG	
BNG units purchase from a third party to achieve 10% BNG uplift	TBC
Statutory biodiversity credits	TBC
PLEASE NOTE**: Where purchased BNG units are proposed, any purchased units from the national register are secured and monitored for 30 years by conservation covenant, separately from this planning application process.	

POST DEVELOPMENT PROPOSALS: *TYPE OF <u>SIGNIFICANT ON-SITE HABITAT</u> PROPOSED: (using the current government definition ¹)		
SIGNIFICANCE AS DEFINED IN PPG	POST DEVELOPMENT HABITAT TYPE PROPOSED	NUMBER OF UNITS
Medium or High Distinctiveness		
Large number of units at Low Distinctiveness		
Significant increase in Distinctiveness, Condition or Area		

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

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

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.

