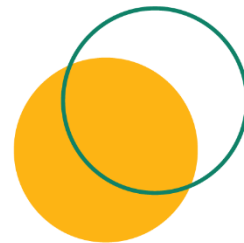




Balancing Growth with Green



Biodiversity Net Gain Assessment



Toby Morrison
Peckleton Barn, Church Road, Peckleton, Leicester, LE9 7RA

September 2025

Project Information

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Authors

Author(s)	Ella Walker BSc (Hons.), MRes. Relevant Qualification: MRes Ecology & Conservation
Reviewer	David Stanley BSc (Hons.), MSc., TechArborA Relevant Qualification: BSc Ecology and Wildlife Conservation. MSc Biodiversity Conservation Member of CIEEM
Approver	Dr Ayan Chakravartty BEng (Hons). PGDip, MSc (Double), MRes, MPhil, PhD. Relevant Qualification: MRes (Ecology and Conservation)

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1 Introduction

1.1 Overview

Toby Morrison ('the client') is seeking consent for a proposed development at Peckleton Barn, Church Road, Peckleton, Leicester, LE9 7RA (hereafter referred to as the 'proposed development site'), which is within Hinckley and Bosworth Borough Council (HBBC).

The proposal is for the construction of a new stable facility on-site, alongside soft landscaping. Provided plans can be found in Appendix B.

ACP Consultants Ltd. was instructed by the client to produce a Biodiversity Net Gain Assessment to accompany the planning application to the HBBC for consent to undertake the proposed work. Major developments are required to submit a Biodiversity Net Gain Assessment demonstrating biodiversity enhancements that contribute to the objectives of the latest HBBC Local Plan. Relevant planning policy and legislation can be found in Appendix D.

Local Authorities are tasked with determining new development and local planning applications against a wide range of social, economic and environmental criteria. The purpose of this report is to assess whether the development proposal is compliant with the relevant local policies in terms of ecological impact and whether the Proposed Development will result in a biodiversity net gain.

This assessment has been carried out in accordance with good practice guidelines, including the National Planning Policy Framework (2024) and applicable local supplementary guidance.

The remainder of this report is presented in the following order:

- Section 2: Existing Site Conditions
- Section 3: Biodiversity Net Gain
- Section 4: Conclusions

1.2 Objectives

- Assess the proposed landscape plans and compare this to the current habitats on site to see if the proposed residential development will result in a biodiversity net gain.
- Demonstrate the sites biodiversity loss or gain through habitat impact assessment calculations.

2 Existing Site Conditions

2.1 Habitats On-site

The existing site currently consists of a residential property, hardstanding ground and associated garden space (which mostly comprises mown grassland).

UKHab classifications present on-site were determined during a site visit carried out by Ayan Chakravarty on the 10th of July 2025, and included Buildings (u1b5), Other Developed Land (u1b6) and Vegetated Garden (r828).

The vegetated garden (r828) classification has been applied as the site area falls within the curtilage of the private residential dwelling. Whilst it was previously understood from the client that land within the wider site adjacent to the residential dwelling is not included within the boundaries of the property following previous planning applications, this has been recorded as vegetated garden (r828) as to not overvalue post development habitat creation (which cannot be legally secured long term due to its association with a private property).

The existing and proposed plans provided by the client can be found in Appendix A.



Figure 2.1 and 2.2 - u1b5, u1b6 and r828 (ACP, 2025)



Figure 2.3 and 2.4 - u1b5, u1b6, and r828 (ACP, 2025)

3 Biodiversity Net Gain

3.1 Calculation

As mentioned in previous sections, all developments are required to submit an ecology assessment demonstrating the sites biodiversity loss or gain using a Biodiversity Metric.

Biodiversity Net Gain is calculated using the Statutory Biodiversity Metric tool to determine if the proposed development will result in a habitat biodiversity net loss or gain. The tool helps to calculate the biodiversity value of a site before and after the proposed development.

The percentage net change by measuring many factors including:

- The existing habitats on site.
- How distinctive the habitats are on site.
- Habitat condition.
- Habitats to be retained and enhanced within the development.
- Habitats to be lost within the development.
- Any indirect negative impacts.
- Habitat creation on site, and
- Habitat enhancement.

The net change result is displayed as a percentage loss or a gain.

The site received an on-site net percentage change of -1.82% (Gain), with trading rules not yet satisfied as a result of the proposed development. As a result, the development is not considered to offer sufficient ecological benefits as the 10% gain target and trading rules must still be met. Hedgerow is also proposed, although as no baseline hedgerow units exist, no net gain can be calculated.

Proposal details which show that vegetated garden (r828) habitat is to be removed in order to accommodate proposals (an increase of the overall developed land footprint on-site), can be found in Appendix B.

Statutory Biodiversity Metric tool results can be found in Appendix C. A Conditions Assessment did not apply to any baseline habitats as they were all within the curtilage of a private residential property and have therefore been classed as vegetated garden (r828).

3.2 Potential Solutions

In order to achieve a 10% net gain and to satisfy trading rules, further habitat creation measures are required. Due to the association with a private residential property on-site, potential solutions comprising habitat creation on-site is limited (as habitats within the curtilage of private residential properties cannot be secured long-term).

Therefore, it is recommended that off-site options are explored. In line with the BNG mitigation hierarchy, additional non-private land owned by the client may be explored. If no client-owned land is available, a third-party habitat bank should be contacted in order to implement off-site habitat creation on behalf of the client in order to address the current shortfall in habitat units (0.15 units). If this option is not feasible, statutory biodiversity credits may also be purchased from the government as a last resort measure in order to offset the 0.15 habitat unit shortfall.

4 Conclusions

This report provides an assessment of the following potential key impacts associated with the construction and operational phases of the proposed development at Peckleton Barn, Church Road, Peckleton, Leicester, LE9 7RA. The aims were to:

- Assess the proposed landscape plans and compare this to the current habitats on site to see if the proposed development will result in a biodiversity net gain; and
- Demonstrate the sites biodiversity loss or gain through habitat impact assessment calculations.

The scheme currently proposes to reduce the footprint of vegetated garden (r828) by 58sqm to accommodate proposals (the construction of a new stable facility). This resulted in an on-site net percentage change of -1.82% (Loss) in habitat units, with trading rules not yet satisfied. As a result, the proposed development is not currently considered to offer sufficient ecological benefits as a 10% net gain and trading rules must still be met. Potential solutions have been outlined in Section 3.2.

It can, therefore, be concluded that the proposed development is not yet considered to comply with national, regional or local planning policies and further ecological improvements to the site and surrounding area are required.

Appendices

Appendix A: UKHab Map

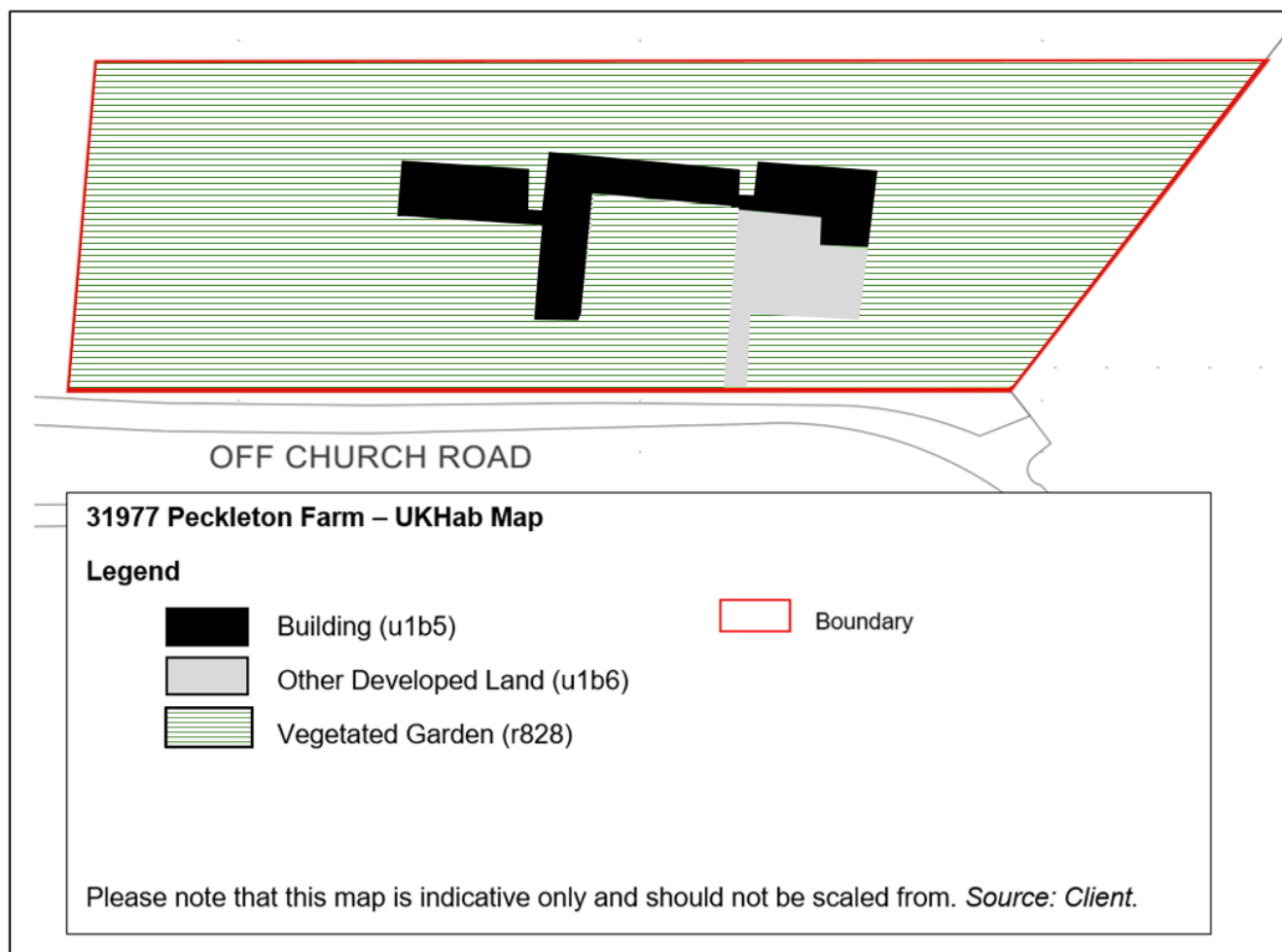
Appendix B: Existing and Proposed Site Plans

Appendix C: Biodiversity Net Gain Calculations

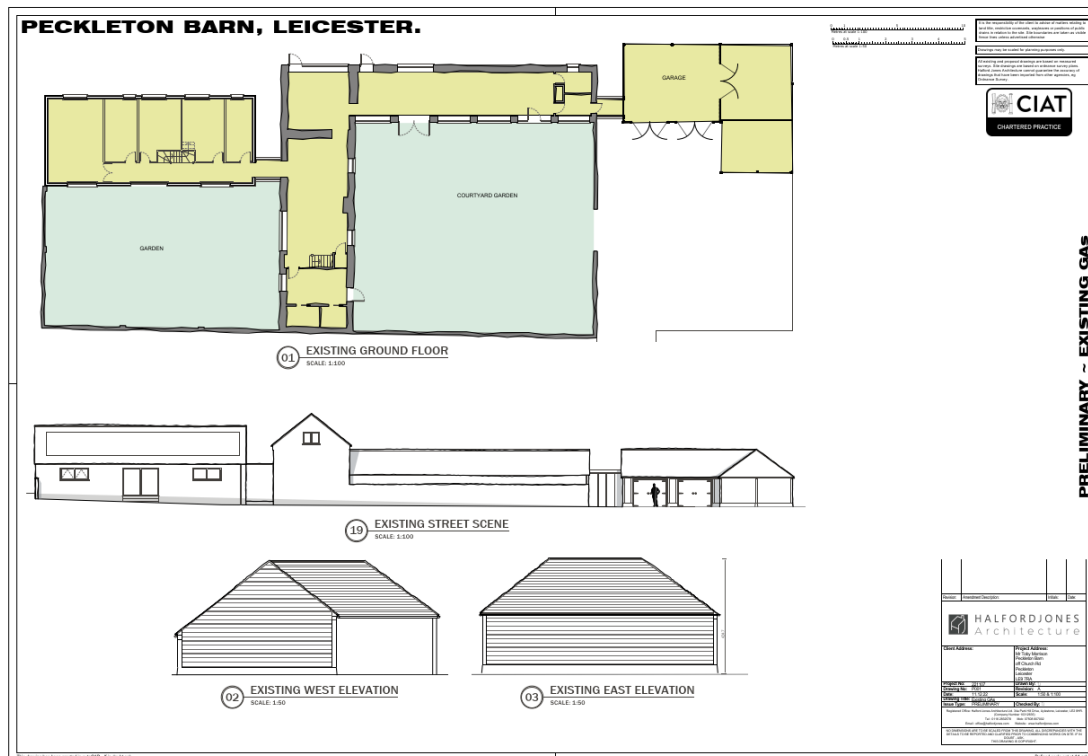
Appendix D: Conditions Assessment

Appendix E: Planning Policy & Legislation

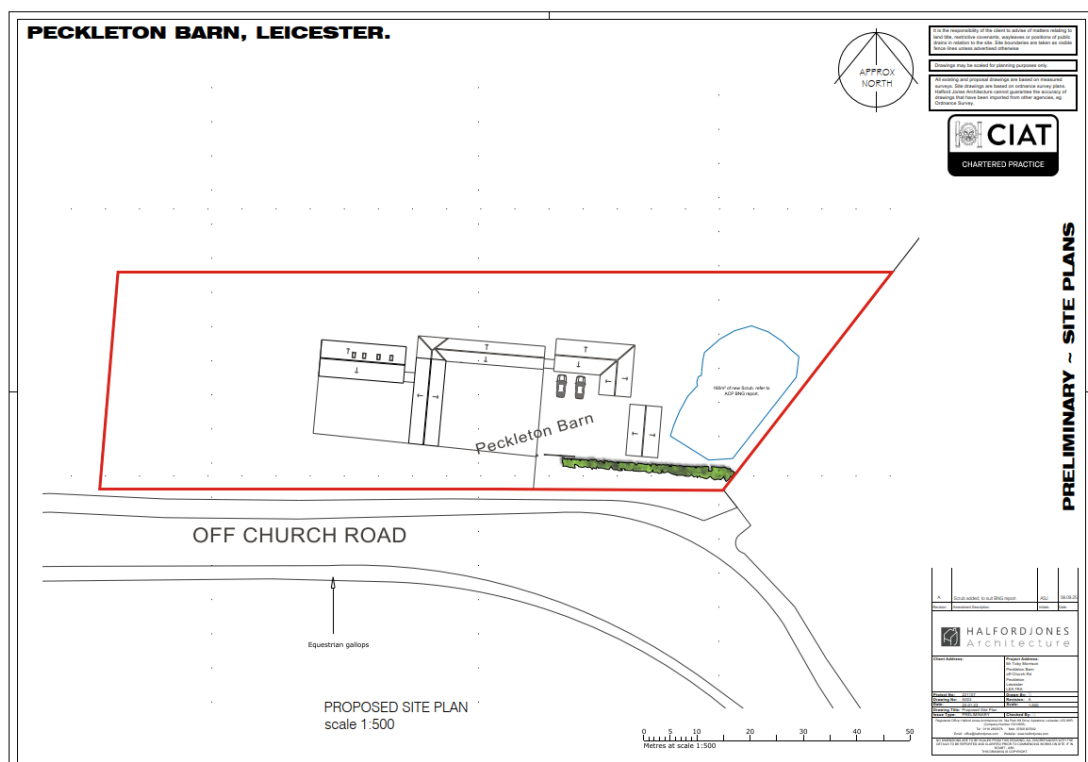
Appendix A: UKHab Map



Appendix B: Existing and Proposed Plans (Source: Client)



Existing Plans (Source: Client, 2025)



Proposed Plans (Source: Client, 2025)

Appendix C: Biodiversity Net Gain Calculations

On-site baseline	Habitat units	0.64		
	Hedgerow units	0.00		
	Watercourse units	0.00		
On-site post-intervention (Including habitat retention, creation & enhancement)	Habitat units	0.63		
	Hedgerow units	0.03		
	Watercourse units	0.00		
On-site net change (units & percentage)	Habitat units	-0.01	-1.82%	On-site net gain is less than target set ▲
	Hedgerow units	0.03	N/A	Zero baseline units - % cannot be calculated
	Watercourse units	0.00	0.00%	
Off-site baseline	Habitat units	0.00		
	Hedgerow units	0.00		
	Watercourse units	0.00		
Off-site post-intervention (Including habitat retention, creation & enhancement)	Habitat units	0.00		
	Hedgerow units	0.00		
	Watercourse units	0.00		
Off-site net change (units & percentage)	Habitat units	0.00	0.00%	
	Hedgerow units	0.00	0.00%	
	Watercourse units	0.00	0.00%	
Combined net unit change (Including all on-site & off-site habitat retention, creation & enhancement)	Habitat units	-0.01		
	Hedgerow units	0.03		
	Watercourse units	0.00		
Spatial risk multiplier (SRM) deductions	Habitat units	0.00		
	Hedgerow units	0.00		
	Watercourse units	0.00		
FINAL RESULTS				
Total net unit change (Including all on-site & off-site habitat retention, creation & enhancement)	Habitat units	-0.01		
	Hedgerow units	0.03		
	Watercourse units	0.00		
Total net % change (Including all on-site & off-site habitat retention, creation & enhancement)	Habitat units	-1.82%	Total net gain achieved is less than target set ▲	
	Hedgerow units	N/A	0 baseline units - % cannot be calculated	
	Watercourse units	0.00%		
Trading rules satisfied?	No - Check Trading Summaries ▲			
Unit Type	Target	Baseline Units	Units Required	Unit Deficit
Habitat units	10.00%	0.64	0.70	0.08
Hedgerow units	10.00%	0.00	0.00	0.00
Watercourse units	10.00%	0.00	0.00	0.00
				No additional hedgerow units required to meet target ✓
				No additional watercourse units required to meet target ✓

Appendix D: Planning Policy & Legislation

This section summarises the relevant National and Local legislative and policy background, statutory and non-statutory guidelines relevant to the potential commercial development.

National Policy

National Planning Policy (December 2024)

The principal national planning policy guidance with respect to the potential development is the National Planning Policy Framework (NPPF). The most recent update of the NPPF was published in December 2024 by the Ministry of Housing, Communities and Local Government. This guidance sets out the Government's planning policies for England and how they are expected to be applied. Three dimensions to sustainable development have been identified in the NPPF: economic, social, and environmental.

The NPPF Section 187 states that:

“Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;*
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”*

Section 188 states that:

“Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.”

Section 189 states that:

“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads⁶³. The scale and extent of development within these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.”

Section 190 states that:

“When considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development⁶⁴ other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”*

Section 192 states that:

“To protect and enhance biodiversity and geodiversity, plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and steppingstones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and*
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.”*

Section 193 states that:

“When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”*

Section 194 states that:

“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”

Relevant National Planning Practice Guidance (NPPG, 2016)

NPPG is a web-based resource which brings together planning guidance on various topics into one place. It was launched in March 2014 and coincided with the cancelling of the majority of Government Circulars which had previously given guidance on many aspects of planning.

The guidance note on 'Natural Environment' explains key issues in implementing policy to protect and enhance the natural environment, including local requirements. This has been referred to when preparing this report. It states that:

"Planning authorities need to consider the potential impacts of development on protected and priority species, and the scope to avoid or mitigate any impacts when considering site allocations or planning applications. Guidance on the law affecting Habitats Sites, protected species and SSSIs.

Natural England has issued standing advice on protected species. A protected species mitigation licence from Natural England may be required before any work can start."

The PPG also states that:

"Information on biodiversity and geodiversity impacts and opportunities needs to inform all stages of development (including site selection and design, pre-application consultation and the application itself). An ecological survey will be necessary in advance of a planning application if the type and location of development could have a significant impact on biodiversity and existing information is lacking or inadequate. Pre-application discussions can help to scope whether this is the case and, if so, the survey work required.

Even where an Environmental Impact Assessment is not needed, it might still be appropriate to undertake an ecological survey, for example, where protected species may be present or where biodiverse habitats may be lost.

As with other supporting information, local planning authorities should require ecological surveys only where clearly justified. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity. Further guidance on information requirements is set out in making an application."

Biodiversity net gain is mentioned in the PPG and states that:

"The National Planning Policy Framework encourages net gains for biodiversity to be sought through planning policies and decisions. Biodiversity net gain delivers measurable improvements for biodiversity by creating or enhancing habitats in association with development. Biodiversity net gain can be achieved on-site, off-site or through a combination of on-site and off-site measures. It may help local authorities to meet their duty under Section 40 of the Natural Environment and Rural Communities Act 2006."

Species and Habitats Legislation

The Conservation of Habitats and Species Regulations 2017 (as amended)

The Conservation of Habitats and Species Regulations 2017 (as amended) consolidates all various amendments made to The Conservation (Natural Habitats & c.) Regulations 1994, in respect of England and Wales. The 1994 Regulations transposed the EC Habitats Directive 1992 (Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora) into national law.

Annexes I and II of the Habitats Directive list (respectively) habitats and species for which member states are required to establish and monitor SACs. The EC Birds Directive provides a similar network of sites (SPAs) for all rare or vulnerable species listed in Annex I and all regularly occurring migratory species, with particular focus on wetlands of international importance.

Together with SACs, SPAs form a network of pan-European protected areas known as 'NATURA 2000' sites.

The Habitats Regulations also make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade on the animals listed in Schedule 2, or pick, cut, uproot, destroy or trade in the plants listed in Schedule 4.

This legislation was amended in January 2021: The main changes to the 2017 Regulations are:

- “the creation of a national site network within the UK territory comprising the protected sites already designated under the Nature Directives, and any further sites designated under these Regulations
- the establishment of management objectives for the national site network (the ‘network objectives’)
- a duty for appropriate authorities to manage and where necessary adapt the national site network as a whole to achieve the network objectives
- an amended process for the designation of Special Areas of Conservation (SACs)
- arrangements for reporting on the implementation of the Regulations, given that the UK no longer provides reports to the European Commission
- arrangements replacing the European Commission’s functions with regard to the imperative reasons of overriding public interest (IROPI) test where a plan or project affects a priority habitat or species
- arrangements for amending the schedules to the Regulations and the annexes to the Nature Directives that apply to the UK.”

The Convention on Conservation of European Wildlife and Natural Habitats (Bern Convention 1979)

The Convention on Conservation of European Wildlife and Natural Habitats (Bern Convention 1979) aims to ensure conservation and protection of all wild plant and animal species and their natural habitats (listed in Appendices I and II of the Convention), to increase cooperation between contracting parties, and to afford special protection to the most vulnerable or threatened species (including migratory species).

The Wildlife and Countryside Act 1981 (as amended) (WCA 1981)

The WCA is the primary UK mechanism for statutory site designation (Sites of Special Scientific Interest [SSSIs]) and the protection of individual species listed under Schedule 1,2,5 and 8 of the Act, each subject to varying levels of protection.

The Countryside and Rights of Way Act 2000

This legislation strengthens the provision of the 1981 WCA (as amended), both in respect of statutory sites such as SSSIs and protected species. It also places a statutory obligation on Local Authorities and other public bodies to further conservation of biodiversity in the exercise of their functions, thus providing a statutory basis to the Biodiversity Action Plan (BAP) process, which began in 1994. Section 74 of the Act lists the habitat types and species of principal importance in England. The UK Biodiversity action Plan has now been superseded by the ‘UK Post-2010 Biodiversity Framework’ (July 2012), however, many of the species and habitats in the UK and local BAPs have not been updated and are still considered relevant to date.

A Bill to amend the Countryside and Rights of Way Act 2000 to extend the right of public access to the countryside, including to woodlands, the Green Belt, waters and more grasslands; and for connected purposes is currently in second reading in the House of Commons (November 2022).

Local Policy: Hickney and Bosworth Borough Council

All development proposals within Hinckley and Bosworth Borough are expected to deliver measurable Biodiversity Net Gain (BNG) in accordance with both national legislation and local planning policy. The requirement to achieve at least 10 percent BNG is embedded within the Hinckley and Bosworth Borough Council Pre-Submission Local Plan (2020–2039), which supports nature recovery and ecological enhancement across the borough.

The following policies are particularly relevant:

- **Policy LP20: Natural Environment**
This policy sets out the expectation that all major development proposals must secure a minimum 10 percent net gain in biodiversity value, as measured using the most up-to-date version of the Defra biodiversity metric. Net gain should be achieved primarily through on-site habitat enhancement or creation. Where this is not possible, off-site delivery may be considered but must be clearly justified and secured via legal agreement or appropriate conservation covenant. BNG measures must be maintained for a minimum of 30 years and supported by a robust Habitat Management and Monitoring Plan.
- **Policy LP21: Green Infrastructure Network**
Emphasises the importance of retaining, enhancing and connecting green infrastructure assets. Development should avoid fragmentation of habitats and instead deliver multifunctional green space that contributes to wider ecological networks, including identified corridors within the borough's Green Infrastructure Strategy and the emerging Nature Recovery Network. BNG proposals should be aligned with these strategic aims to maximise ecological benefit and long-term resilience.
- **Policy LP25: Design and Sustainable Construction**
Encourages early integration of biodiversity features into the design of development. Applicants are expected to demonstrate how BNG measures have been embedded within the layout and landscape design. Examples may include the incorporation of native species planting, SuDS with biodiversity value, integrated bird and bat boxes, and green roofs or walls.

To comply with these policies, applicants must submit a completed biodiversity metric calculation alongside baseline habitat survey data, proposed habitat creation or enhancement plans, and a long-term management plan. A Biodiversity Gain Plan will be required as a condition of planning permission, to be agreed prior to commencement of development.