

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	25/00015/FUL
ADDRESS	Forest View Sibson Road Sheepy Parva Atherstone Leicestershire CV9 3RE
DESCRIPTION OF DEVELOPMENT	Installation of above ground solar photovoltaic array (non-ground penetrating weighted tubs)
PLANNING CASE OFFICER	Sophie Iliffe
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Michael McCoy
DATE OF COMMENTS	02/04/2025
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	✓
Condition recommended	
Informative recommended	
SUMMARY OF ECOLOGICAL DOCUMENTS CONSIDERED:	
Biodiversity Net Gain (Small site metric)	
REASON FOR RECOMMENDATION PROVIDED:	
- We have reviewed 'Proposed Layout Plans, Elevations, Block, Site Location Plan, Drg No. 4177-01 Rev d' as well as the 'Photographs – Area of Biodiversity Enhancement 1-5' - We find the photographs acceptable proving the area is modified grassland. - We also accept that this land is now within the Red Line Boundary, matching the BNG habitat baseline section.	
BIODIVERSITY NET GAIN (BNG) SPECIFIC COMMENTS:	
- No irreplaceable habitat - No habitat degradation - The strategic significance within the BNG metric shows all as 'Formally identified in the local strategy', as there is no local nature recovery strategy in place at the time of this response, no habitat can be classified as such, therefore the strategic significance needs to be lowered within the metric to 'Area/compensation not in local strategy/ no local Strategy' to reflect this in the calculations.	

- The hard standing for the solar panels has also been labelled as 'Intertidal hard structures'. This habitat type is only for areas within the intertidal zone located at the coast and therefore is not the appropriate habitat type. Hard standing should be categorised as 'urban – other developed land'. - It should be noted that as other developed land has a value of 0, the calculation will likely drop below the 10% net gain which will need to be off set through off-site habitat creation or purchase through the government register as BNG units or statutory credits.
FURTHER INFORMATION REQUIRED:
Updated BNG metric per comments made in the section above.
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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