

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council	
APPLICATION NUMBER	25/00940/FUL	
ADDRESS	Park House Farm Leicester Lane Desford Leicester Leicestershire	
DESCRIPTION OF DEVELOPMENT	Removal of the existing wind turbines, installation of two new wind turbines and associated infrastructure	
PLANNING CASE OFFICER	Laura Ashton	
DEPARTMENT	Ecology	
PLANNING ECOLOGY OFFICER	Sue Hooton	
DATE OF COMMENTS	29 January 2026	
ECOLOGICAL DOCUMENTS REVIEWED:		
• Statutory Biodiversity Metric calculation tool v2 (completed on 11 August 2025) • Condition Assessment sheets • Preliminary Ecological Appraisal - Chapter 5 of the Planning Statement v1.0 (COGEO, September 2025) and its appendices (prepared by Brooks Ecological, August 2025) • Application form completed 30/9/2025 Previously reviewed • Biodiversity Net Gain Assessment Rev A (Brooks Ecological, September 2025) (App 5.4) • Statutory Biodiversity Metric screenshots v2 (completed on 11 August 2025)		
SUMMARY RECOMMENDATION:		
No comment		☐
No objection (for recommended conditions or informatives- see below)		☒
Recommend Refusal		☐
Holding Objection - Further information required on Mandatory Biodiversity Net Gain		☐
REASON FOR RECOMMENDATION:		
We have reviewed the documents 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 now satisfied that appropriate information has been supplied for the application prior to determination. The reasons for this are outlined below:		

We have now reviewed the condition assessment sheets and the Biodiversity Metric calculation tool. Although the baseline BNG map – Figure 2 BNG Assessment (Brooks Ecological, August 2025) available as Appendix 5.4 of the Planning Statement) - does not match the red line boundary of the application to include the access track. The metric calculations should match the red line boundary, but in circumstances where the area is not included in the red line boundary and only contains developed land; sealed surface, we are satisfied that this can be secured as part of the Biodiversity Gain Plan.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in Chapter 5 of the Planning Statement (COGEO, September 2025) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality.

With regard to mandatory biodiversity net gains, it is highlighted that we support the submitted Biodiversity Net Gain Assessment Rev A (Brooks Ecological, September 2025). Biodiversity net gains is a statutory requirement set out under [Schedule 7A \(Biodiversity Gain in England\) of the Town and Country Planning Act 1990](#) and we are satisfied that submitted information provides sufficient information at application stage. As a result, a Biodiversity Gain Plan should be submitted prior to commencement, which also includes the following:

- A Biodiversity Gain Plan form (Ideally using the Government's template: <https://www.gov.uk/government/publications/biodiversity-gain-plan>)
- The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values.
- Pre and post development habitat plans.
- Legal agreement(s)
- Biodiversity Gain Site Register reference numbers (if using off-site units).
- Proof of purchase (if buying statutory biodiversity credits at a last resort).

In addition, a [Habitat Management and Monitoring Plan](#) (HMMP) should be secured for all [significant on-site enhancements](#). Based on the submitted post-intervention values as they are currently submitted and Government Guidance on what constitutes a significant on-site enhancement, recommendations on the habitats that should be classified as a significant on-site enhancement have been outlined in the BNG tables below.

The decision on whether significant on-site enhancements are present is ultimately up to the Council. Where present, the maintenance and monitoring of significant on-site enhancements should be secured via planning obligation for a period of up to 30 years from the completion of development. This will be required to be submitted concurrent with the discharge of the biodiversity gain condition. Therefore, the LPA is encouraged to secure draft heads of terms for this planning obligation at application stage, to be finalised as part of the biodiversity gain condition. Alternatively, the management and monitoring of significant on-site enhancements could be secured as a condition of any consent. The monitoring of the post-development habitat creation / enhancement will need be provided to the LPA at years 1, 3, 5, 10, 15, 20, 25, 30, unless otherwise specified by the LPA. Any remedial action or adaptive management will then be agreed with the LPA during the monitoring period to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

We note that post-intervention values have also been provided to include modified grassland, developed land (sealed surface) and artificial unvegetated land (unsealed surface).

We note that no reasonable biodiversity enhancements for protected, Priority and threatened species, have been recommended in the PEA (Brooks Ecological, August 2025) to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). Reasonable biodiversity enhancement measures are a separate matter to mandatory biodiversity net gains and details should therefore be outlined within a separate Biodiversity Enhancement Strategy to be secured as a condition of any consent.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended) and delivery of mandatory Biodiversity Net Gain.

Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013. We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

“All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Brook Ecologist, Aug 2025) - Chapter 5 of the Planning Statement (COGEO, September 2025) - as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may/will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.”

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

2. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY

“Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;*
- b) detailed designs or product descriptions to achieve stated objectives;*
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);*
- d) persons responsible for implementing the enhancement measures; and*
- e) details of initial aftercare and long-term maintenance (where relevant).*

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.”

Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

ANY RECOMMENDED INFORMATIVES TO BE APPLIED:

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	Y
Pre-development Habitat Plan of existing onsite habitat (to scale)	Y
Pre-development Habitat Value (on date of application or earlier)	Y
Completed Metric Calculation Tool	Y
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)	N/A
BNG METRIC INFORMATION missing or incorrect:	
Incomplete or incorrect cells are shown in metric (eg. habitat quantity, type or condition, strategic significance)	N

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 SIGNIFICANT ON-SITE HABITAT PROPOSED:** (using the current government definition¹)

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

SIGNIFICANCE AS DEFINED IN PPG	POST DEVELOPMENT HABITAT TYPE PROPOSED	NUMBER OF UNITS
Medium or High Distinctiveness	TBC	TBC
Large number of units at Low Distinctiveness	TBC	TBC
Significant increase in Distinctiveness, Condition or Area	TBC	TBC

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.