

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	25/00760/FUL
ADDRESS	Mallory Park Church Road Kirkby Mallory Leicester Leicestershire
DESCRIPTION OF DEVELOPMENT	Erection of proposed new workshop (re-submission of 20/01134/FUL)
PLANNING CASE OFFICER	Faizal Jasat
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Michael McCoy
DATE OF COMMENTS	03 February 2026
ECOLOGICAL DOCUMENTS REVIEWED:	
• BNG Metric (Eco-check, Dec 2025) • BNG Baseline Habitat Map (Eco-check, Dec 2025) • BNG Post Habitat Development Map (Eco-check, Dec 2025)	
SUMMARY RECOMMENDATION:	
No comment	
No objection (for recommended conditions or informatives- see below)	
Recommend Refusal	
Holding Objection - Further information required	✓
REASON FOR RECOMMENDATION:	
• We have reviewed the above documents as well as Amended Location Plan. • We require further information regarding BNG. While a metric has been provided and shows the site is predominantly hard standing with a patch of modified grassland to be removed, the application form states that BNG is not applicable and attached photos of the grass being completely removed in 2025. • However, as part of BNG PPG para 036: <i>"If activities to implement or in connection with a planning permission are carried out after 25 August 2023 that lower the biodiversity value of the onsite habitat, the pre-development biodiversity value of the onsite habitat is taken to be the biodiversity value immediately before the carrying out of the activities. The relevant date should therefore be set as a date immediately before these activities"</i>. • Therefore, we will need to see a BNG report that includes	

- statement to confirm that development is subject to statutory biodiversity gain condition, - the pre-development value - statement on habitat degradation - Reason for proposing an earlier date due to degradation - photos from the walkover and information on the on-site habitat - BNG metric user comments updated to include degradation - due to degradation, the Statutory metric should be used • While the main focus is on the baseline habitat prior to determination, it should be noted at the biodiversity gain plan stage that the post-development BNG metric will need to include the other developed land in habitat creation to match the area lost as the current metric is showing an error in area sizes. • Further justification will also be needed on the location of the proposed trees as aerial imagery already shows fully grown trees in these locations.
ANY RECOMMENDED CONDITIONS TO BE APPLIED:
• N/A
ANY RECOMMENDED INFORMATIVES TO BE APPLIED:
• N/A
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	N
Pre-development Habitat Plan of existing onsite habitat (to scale)	Y
Pre-development Habitat Value (on date of application or earlier)	N
Completed Metric Calculation Tool	Y
Statement of Habitat Degradation where present (with dates and details)	N
Reason for proposing an earlier date if applicable (ie. degradation)	N
Description of Irreplaceable Habitat where present	N/A
SMALL SITES METRIC ONLY: "Competent person" information (ie. qualifications, skills, experience)	Y
BNG METRIC INFORMATION missing or incorrect:	
Incomplete or incorrect cells are shown in metric (eg. habitat quantity, type or condition, strategic significance)	Y

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)	Y
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)	N
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	N
Statutory biodiversity credits	N
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</u> HABITAT PROPOSED: (using the current government definition ¹)		
SIGNIFICANCE AS DEFINED IN PPG	POST DEVELOPMENT HABITAT TYPE PROPOSED	NUMBER OF UNITS
Medium or High Distinctiveness	Individual trees	0.0871
Large number of units at Low Distinctiveness	N/A	
Significant increase in Distinctiveness, Condition or Area	N/A	

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.

