

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	25/00513/FUL
ADDRESS	Rare Ltd Manor Park Twycross Atherstone Leicestershire
DESCRIPTION OF DEVELOPMENT	Synthetic grass football exercise area complete with fencing
PLANNING CASE OFFICER	Sophie Iliffe
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Richard Kelly
DATE OF COMMENTS	19 August 2025
ECOLOGICAL DOCUMENTS REVIEWED:	
• Planning Statement – done • Block Plan • Proposed Floor Plans • Site Location Plan • Application Form • Ecological Appraisal (RPS Group, November 2020) • Ecology Consultation Response – GCN (Allied Ecology, August 2025) • Biodiversity Net Gain Assessment (Allied Ecology, April 2025) • Statutory BNG Metric (April 2025)	
SUMMARY RECOMMENDATION:	
No comment	
No objection (for recommended conditions or informatives- see below)	✓
Recommend Refusal	
Holding Objection - Further information required	
REASON FOR RECOMMENDATION:	
• There has been a review of applicant submitted information Ecological Appraisal (RPS Group, November 2020) and Ecology Consultation Response – GCN (Allied Ecology, August 2025) which are accepted and brief overview below. • The original survey by Ecological Appraisal (RPS Group, November 2020) can be relied upon for the current application as stated in the Allied Ecology note (August 2025) for the purposes of this assessment.	

- **Birds** – no nesting birds were observed during the survey and the current grassland management regime does not make the application site suitable for ground nesting birds and no further surveys are required. However, any vegetation clearance should take place outside the bird nesting season which runs from March to August inclusive. If this is not possible a nesting bird check should take place no later than 24 hours prior to removal by a suitably qualified ecologist. **Please see recommended Informatives.**
 - **GCN** – ponds within 250m were subjected to HSI scores and considered unsuitable to support GCN or 'poor'. Natural England's mitigation licence 'risk assessment' tool has also been used, and an offence is considered highly unlikely. Therefore, no further surveys are required. However, a series of precautionary measure will be required such as destructive searches and vegetation manipulation via a two staged cut under the supervision of Ecological Clerk of Works. These measures should be included within a Construction and Environmental Management Plan Biodiversity (CEMP). **Please see recommended Conditions.**
 - **Reptiles** – The wider site is considered suitable to reptiles, however given the current management regime of the application site they are not considered present in this location. Given the measures required for GCN no further surveys are required however, reasonable avoidance measures should be included within the Construction and Environmental Management Plan Biodiversity (CEMP). **Please see recommended Conditions.**
 - **Badgers** – No evidence of badger was recorded; however, they may frequent the site therefore a series of reasonable avoidance measures will be required to ensure badgers are not harmed during construction. These should be included within a within a Construction and Environmental Management Plan Biodiversity (CEMP). **Please see recommended Conditions.**
 - **Hedgehogs** – The site does provide foraging habitat, and hedgehogs have been seen by staff on site. Therefore, a series of reasonable avoidance measures will be required to ensure hedgehogs are not harmed during construction. These should be included within a within a Construction and Environmental Management Plan Biodiversity (CEMP). **Please see recommended Conditions.**
- BNG specific
- **Currently the 10% Biodiversity Net Gain will be met on site with a +11.93% increase in Habitat Units.**
 - Therefore, significant on-site enhancement will need securing and monitoring for a 30-year period.
 - A Habitat Management and Monitoring Plan (HMMP) and biodiversity net gain will need to be secured by condition. **Please see Conditions.**

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

- **CEMP Biodiversity** - No development shall take place (including ground works or vegetation clearance) until a Construction Environment Management Plan for biodiversity (CEMP: Biodiversity) has been submitted to and approved in writing by the LPA. The CEMP shall include the following details:
 - A. Identification of potentially damaging construction activities
 - B. practical measures and sensitive working practices to avoid or reduce impacts during construction on Great Crested Newts, reptiles badgers and hedgehogs
 - C. timing of works to avoid harm to nesting birds

D. responsible persons for overseeing sensitive works E. use of protective fencing where required	
- The approved CEMP shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the LPA. HMMP - The development shall not commence until a 30 year Habitat Monitoring and Management Plan (HMMP), prepared in accordance with an approved Biodiversity Gain Plan, has been submitted to and approved in writing by the local planning authority. The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain the following: a) Description and evaluation of the features to be managed; b) Ecological trends and constraints on site that may influence management; c) Aims, objectives and targets for management - links with local and national species and habitat action plans; d) Description of the management operations necessary to achieving aims and objectives; e) Preparation of a works schedule, including annual works schedule; f) Details and a timetable of the monitoring needed to measure the effectiveness of management; g) Details of the persons responsible for the implementation and monitoring; h) mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets; and i) Details of methodology and frequency of monitoring reports to be submitted to the Local Planning Authority to assess biodiversity gain (To enhance biodiversity, and in accordance with the National Planning Policy Framework and paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990)	
ANY RECOMMENDED INFORMATIVES TO BE APPLIED:	
Nesting Birds - Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore, building demolition and significant alteration or vegetation clearance should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.	
IN THE CASE OF DISCHARGE OF CONDITIONS ONLY:	
(Please confirm which condition(s) is/are being discharged)	
N/A	
BIODIVERSITY NET GAIN (BNG) SECTION	
HAVE MINIMUM NATIONAL INFORMATION REQUIREMENTS BEEN PROVIDED (PPG paragraph 11):	
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
ON-SITE AND OFF-SITE PROPOSALS PRESENT: These should be secured and monitored for 30 years	
Applicant-owned <u>significant onsite</u> BNG is proposed	Y
Off-site BNG is proposed (eg. BNG units provided to achieve 10% BNG uplift either on applicant-owned land, purchased units or statutory credits) PLEASE NOTE: this is indicative only , confirmed at Biodiversity Gain Plan condition stage	N/A
TYPE OF SIGNIFICANT ON-SITE HABITAT PROPOSED: (using the current government definition ¹)	
Medium or High Distinctiveness	Y
Large number of units at Low Distinctiveness	Y
Significant increase in Distinctiveness, Condition or Area	Y

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

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

	amended including special Schedule 1), Natural England Standing Advice. Badger Act.
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