

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	26/00691/FUL
ADDRESS	Ivy House Farm Broad Lane Stanton Under Bardon Markfield Leicestershire LE67 9TB
DESCRIPTION OF DEVELOPMENT	Change of use from paddock to create four padel courts (Class F2(c)) and cafe (Class E(b)), plus associated infrastructure and landscaping
PLANNING CASE OFFICER	Joseph Fleetwood HBBC
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Karley Khan
DATE OF COMMENTS	24 September 2026
ECOLOGICAL DOCUMENTS REVIEWED:	
• Ecological Appraisal (ref: AL137_EA_Final, dated 22/07/2026) • Biodiversity Net Gain (BNG) Report (ref: AL137_BNGR_Final, dated 22/07/2026) • BNG Metric (Calculation iteration: Final, dated 26/07/2026)	
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 ecology documents as well as the Existing Site Plan (ref: 26.31.3, RevE), Existing Elevations (ref: 26-31-2), Design and Access Statement (ref: prepared by Beta Town Planning, dated July 2026), Proposed Elevations (ref: 26.31.6, RevB), Location Plan (ref: 26.31.1, RevC) and Application Form. We require some additional information/clarification in order to assess the likely impact of the development on ecology and biodiversity. Details of further information required in order to determine this application are detailed below: <i>Great Crested Newt (GCN);</i> • The application form it will be disposed of to the existing watercourse, however we note from aerial that the watercourse connects with the existing ponds where GCN were recorded. This has the potential to affect the hydrology/water quality/water chemistry of the ponds and reduce the suitability of these ponds to support GCN. As such, we request further information on how surface water will be disposed of.	

- The eDNA survey found four of the eight ponds within 250m of the site to be positive for GCN, two of which are located adjacent to the site. The remaining two positive ponds are not separated by a major dispersal barrier. We note the ecology report found the grassland to be short sward, however given the proximity of the positive GCN ponds, the site being located within the amber risk zone for GCN, the RRA found an offence to be likely, the presence of some suitable habitat which will be impacted and the connectivity of the site, the information provided indicates GCN are likely to be present such that works should be undertaken under either a DLL or NE licence. Should DLL route be taken, we require submission of the final Impact Assessment and Conservation Payment Certificate (IACPC) which has been countersigned by Natural England.

Barn Owl;

- The photos appear to show B1 as being unsuitable for roosting Barn Owl, however no information in relation to this species is provided. We request clarification whether signs of Barn Owl were checked, and if so, whether any were found in any of the buildings including the stable.

Ditch;

- A review of aerial imagery shows a ditch adjacent to G2, which provides a potential connection between P1 and P2 as well as hydrological connectivity to a watercourse and reservoir to the south of the site. We note the report states no riparian habitat is present which would provide habitat for Water Vole and Otter, however it is unclear whether the ditch is included in that assessment. Furthermore, we request further information on the suitability of the ditch to support White-clawed Crayfish.
- We also request photos of the ditch to be provided where available.

BNG;

- Strategic significance for grassland has been applied for grassland creation and enhancement as the site falls within an 'Area that Could Become Important'. The ACB represents all combined habitats, as opposed to specific habitat types, such that the area encompassing the site does not include grassland measures. Therefore, the assigned strategic significance for all habitats will need to be reviewed and updated accordingly.
- Hedgerow H2 is entered in the Metric and report as a 'Native hedgerow with trees', however the ecological appraisal report states a dry ditch is associated with H2. As such, the habitat type for H2 should be updated within the Metric and report.
- The BNG report states the enhancement of G2, planting of trees and hedgerow creation do not qualify as significant on-site gains. This statement does not accord with the BNG PPG on significant on-site enhancements, whereby significant enhancements are areas of habitat enhancement which contribute significantly to the proposed developments BNG, relative to the biodiversity value before development. What counts as significant includes, but is not limited to; habitats of medium or higher distinctiveness and habitats creation or enhancement where distinctiveness is increased. The proposed habitats and enhancement to G2 qualify as significant and will be subject to all relevant requirements/documents including the need for the land to be legally secured and monitored for compliance for 30 years. The BNG report requires updating on this basis.
- The post-development plans show all habitats and hedgerows as proposed as opposed to any that are retained or enhanced. This contradicts the BNG Metric such that either the plans or Metric require updating.
- We also note the plans included in the ecology reports do not match the location plan redline boundary and request clarification.

ANY RECOMMENDED CONDITIONS TO BE APPLIED:
• TBC
ANY RECOMMENDED INFORMATIVES TO BE APPLIED:
• TBC
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	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)	Y
Reason for proposing an earlier date if applicable (ie. degradation)	N/A
Description of Irreplaceable Habitat where present	Y (none)
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)	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 SIGNIFICANT ON-SITE HABITAT PROPOSED:** (using the current government definition¹)

SIGNIFICANCE AS DEFINED IN PPG	POST DEVELOPMENT HABITAT TYPE PROPOSED	NUMBER OF UNITS
Medium or High Distinctiveness	Urban tree	0.29
Large number of units at Low Distinctiveness	Native hedgerow	0.17
Significant increase in Distinctiveness, Condition or Area	Modified grassland > enhanced to Other neutral grassland	3.98

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.

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

