

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	25/00829/BNG
ADDRESS	Pond Barn Cold Comfort Farm Rogues Lane Hinckley Leicestershire
DESCRIPTION OF DEVELOPMENT	Application to discharge the biodiversity gain condition for application 24/00551/FUL
PLANNING CASE OFFICER	Sullivan Archer
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Michael McCoy
DATE OF COMMENTS	03 October 2025
ECOLOGICAL DOCUMENTS REVIEWED:	
• BNG metric (Croft Ecology, Aug 2025) • BNG Proposed Enhancements, Drg No.8895-03 - 0003 Rev PL1 (HSSP, 2025) • Site Location Plan, Drg No.8895 - 03 - 0001 Rev PL3 (HSSP, 2025) • Biodiversity Gain Plan (Croft Ecology, Aug 2025) • Condition Sheet: GRASSLAND Habitat Type (low distinctiveness) (Croft Ecology, Aug 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, and while it is understood that the application originally came in under exemption and BNG is required as part of the appeal. • Therefore, further information on the baseline is required in the form of the baseline habitat map (UKHabs classification) and BNG report. • Further information is also required on the baseline habitat for the proposed off-site including a habitat map and condition assessment sheet. • As off-site habitat creation is proposed to meet BNG, this will need secured for at least 30 years. As per guidance (https://www.gov.uk/guidance/creating-a-habitat-management-and-monitoring-plan-for-biodiversity-net-gain): <i>"A legal agreement is an obligation to enhance and maintain a habitat. It must set out: - how you will maintain the habitat"</i>	

- who is responsible for creating or enhancing the habitats - who is responsible for maintenance, management and monitoring Your legal agreement for off-site or on-site gains must last for at least 30 years. You can use a HMMP to provide more information. It does not replace the legal agreement. You can include your HMMP within your legal agreement or draft it as a separate document. If you're delivering off-site gains, your HMMP should be agreed with one of the following: - the local planning authority (LPA) if you're securing gains through a planning obligation (section 106 agreement) - the responsible body if you're securing gains with a conservation covenant"	
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	
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)	N
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/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	N
Off-site BNG is proposed (eg. BNG units provided to achieve 10% BNG uplift either on applicant-owned land, purchased units or statutory credits)	Y
PLEASE NOTE: this is indicative only , confirmed at Biodiversity Gain Plan condition stage	

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.

