



**Land adjacent to 22 Elwell Avenue, Barwell, Leicester, LE9
8FH**

Biodiversity Net Gain Report

Document Control

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1. Summary

Table 1: Summary

Report Purpose	The objective of the present Biodiversity Net Gain (BNG) report is to provide an assessment as to whether the proposed development can deliver BNG or not for the design option(s) being considered.
Methodology	<ul style="list-style-type: none">• A UKHab and condition assessment survey was carried out of the site on the 5th December 2024 with reference to best practice guidelines by a suitably qualified ecologist.• A biodiversity metric calculation was made, using the prevailing biodiversity metric calculation spreadsheet at the time of writing (DEFRA Statutory Biodiversity Metric).
Results & Conclusions	<p>Following best practice guidelines for use of the Statutory Biodiversity Metric, assessment has shown a total net loss post-development of -0.02 habitat units (-34.00%), this equates to a deficit of 0.03 habitat units to deliver the biodiversity net gain target of 10%. The assessment has also shown change post-development in hedgerow units (0.00%), this equates to a deficit of 0.002 hedgerow units, rounded down by the Metric to 0.00, below the biodiversity net gain target of 10%.</p> <p>It is considered that the on-site delivery of the 0.03 habitat units and 0.002 hedgerow units to deliver a 10% net gain would not be feasible, due to the rules set out within the biodiversity metric user guide. It is therefore recommended that off-site habitat compensation options are explored, such as via purchasing the biodiversity units from a third-party habitat bank.</p>

2. Introduction

Background

- 2.1. Elton Ecology Ltd was commissioned by Paul Allen to conduct a Biodiversity Net Gain (BNG) Study of the site known as Land adjacent to 22 Elwell Avenue, Barwell, Leicester, LE9 8FH.

Relevant Documents

- 2.2. The present assessment has been informed by the following documents:

- Site Location Plan (Paul Gaughan Building Consultants)
- Planning Drawing – Proposed Floor Plans, Elevations & Site Plans (Drawing number: DB/BB/21/03/02, Revision F) (Paul Gaughan Building Consultants, March 2021)

Site Description

- 2.3. The site comprises a single dwelling, with associated hardstanding, modified grassland and a hedgerow. The site is located at Land adjacent to 22 Elwell Avenue, Barwell, Leicester, LE9 8FH (Figure 1: Site Location Plan) (central OS grid reference: SP 44892 98032).

Development Proposals

- 2.4. The development proposals include the erection of a single dwelling with associated hard and soft landscaping.

Planning status of project, certainty of design and assumptions made

- 2.5. The present strategy has been prepared to support a planning application, based on the Planning Drawing (Paul Gaughan Building Consultants, March 2021).
- 2.6. As stated in the 'Limitations' section, necessary assumptions have been made at this stage regarding the types and extents of habitats that will and can be created. It is accepted that resubmission of an updated BNG Report will typically be required with subsequent application(s), unless there are no significant changes to the original design proposed. This would include an updated BNG calculation using an appropriate metric to demonstrate how the net gain will be achieved.

Aims, Objectives & Scope

- 2.7. With reference to the Development Proposals and best practice BNG reporting guidelines (CIEEM, 2021), the objectives & scope of the present strategy are to provide:
 - An assessment as to whether the project can feasibly deliver BNG or not for the options being considered;
 - Advice for the project to maximise its ability to deliver BNG considering factors such as location, design, construction methods and programme (where known/relevant);
 - If on-site BNG can't be achieved, consideration of the potential for off-site delivery of BNG, either securing land in close proximity to the project site or other alternatives, including more distant land under direct control or a brokered agreement; and

- Where, following a review of the BNG Principles, the delivery of project-wide BNG as an outcome is not considered possible (e.g., as a result of impacts to irreplaceable habitats or other site constraints), a record of the reasons and next steps towards delivering biodiversity gains elsewhere through the project.

Planning Policy and Legislation

- 2.8. A summary of biodiversity planning policies and wildlife legislation relevant to the site is provided in Appendix 1.
- 2.9. The site is covered by Leicestershire and Rutland Biodiversity Action Plan (BAP).

3. Methodology

Personnel

- 3.1. The UKHab & Condition Assessment survey and biodiversity metric calculation was carried out by Ecologist EKJ¹ BSc (Hons), accredited agent on Natural England Bat Licence Reference Number: 2018-33647-CLS-CLS. EKJ is a Qualifying member of CIEEM and is experienced in undertaking ecology surveys, GIS mapping, and report writing. EKJ is trained in botanical species identification and has received a provisional Level 3 Botanical Society of Britain and Ireland (BSBI) Field Identification Skills result.
- 3.2. Quality assurance of the present report was undertaken by Consultant Ecologist EAM BSc (Hons), MSc. EAM is a Qualifying member of CIEEM, has attended formal training in UKHab survey and Biodiversity Net Gain, and is experienced in assisting and undertaking ecology surveys, GIS mapping, and report writing. EAM holds a preliminary Level 3 Botanical Society of Britain and Ireland (BSBI) Field Identification Skills Certificate.
- 3.3. Final review of the present report was undertaken by Senior Ecologist PMH BSc (Hons) MSc ACIEEM. PMH holds a Natural England Level 1 Bat Licence (CL17) (reference number: 2021-54491-CLS-CLS) and a Natural England Level 1 Great Crested Newt Licence (CL08) (reference number: 2022-10461-CL08-GCN), a botanical Field Identification Skills Certificate (FISC) Level 3, and a Modular River Survey River Condition Assessment Certificate level of Qualified Surveyor. PMH has attended formal training in UKHab survey, Biodiversity Net Gain, and botanical species identification. PMH is an Associate member of CIEEM and is experienced in assisting and undertaking ecology surveys, GIS mapping, and report writing.

Desk Study

Important Ecological Features

- 3.4. A desk study was carried out to assess the site and surrounding landscape for important ecological features and their influence on the deliverability of BNG.
- 3.5. The sources of information and study areas of the desk study data are provided in Table 2.

Table 2: Desk Study Sources and Areas

Feature	Study Area	Data Source
Designated sites of nature conservation	International (e.g. Special Area of Conservation, Special Protection Area, and Ramsar)	10 km radius of the site boundary
	National (e.g. Site of Special Scientific Interest (SSSI), SSSI Impact Risk Zones (SSSI IRZ)), Local Nature Reserves, National Nature Reserves	5 km radius of the site boundary
Granted Natural England Mitigation Licences & Class Licence Returns	2 km radius of the site boundary	
Priority or irreplaceable habitat within the surrounding landscape.	1 km radius of the site boundary	

¹ Full personnel names available upon request.

Field Survey

UKHab & Condition Assessment Survey

- 3.6. A UKHab and condition assessment survey was carried out of the site on 5th December 2024 with reference to best practice guidelines from UKHab Ltd (2023). The site was walked over, and the habitats present classified based on key indicator species present.
- 3.7. The condition assessment was carried out with reference to guidance within the Statutory Biodiversity Metric Condition Sheets and Technical Supplement (Defra, 2025). The condition of each habitat was assessed by scoring each habitat parcel against the criteria set out in the Statutory Biodiversity Metric Habitat Condition Assessment Sheets. A condition score was assigned to each habitat parcel based on a range of positive and negative indicators of quality against the optimum ecological state for the habitat, such as a grassland having species richness (positive) or the presence of invasive non-native plants (negative). This is used as an indicator for whether the habitat is a good or poor example of its habitat type/distinctiveness, and to inform future management for ecological enhancement where applicable.

Biodiversity Net Gain Metric Calculation

- 3.8. The prevailing biodiversity metric calculation spreadsheet at the time of writing was used, the Statutory Biodiversity Metric, updated 3rd July 2025, with reference to the Technical Supplement and User Guide (Defra, 2025).
- 3.9. The Statutory Biodiversity Metric calculates the biodiversity units present as follows:

Baseline Habitats:

Size of Habitat Parcel x Distinctiveness x Condition x Strategic Significance = Baseline Biodiversity Units

Post-intervention Habitats are calculated as above, and then:

x Difficulty x Time to Target Condition x Spatial Risk = Post-intervention Biodiversity Units

The net gain or loss in Biodiversity Units is then calculated as:

Post-intervention units – Baseline units = (+/-) Net Change

- 3.10. As the basis of the calculations, the Statutory Biodiversity Metric requires the user to enter a series of variables for each baseline, enhanced or created habitat parcel. These variables and decisions made are summarised in the sections below and presented in the results section. No hedgerow or river habitats were present at the site, and as such variables relating only to hedgerow and river habitats have not been included.

Classification and Measurement of Habitats

- 3.11. The UK Habitat Classification System (UKHab) (UKHab Ltd, 2023) was used during field surveys and converted to the appropriate habitat classification via the Statutory Metric guidance (Defra, 2025), to complete the broad habitat and habitat type variables of the Statutory Biodiversity Metric calculator.
- 3.12. The habitat areas were mapped via the QGIS geographic information system application using a geo-referenced and ground-checked satellite image of the site.
- 3.13. Post-development habitat areas were measured from the illustrative Proposed Site Plans, georeferenced into QGIS.

- 3.14. Following the Statutory Biodiversity Metric QGIS Template and Import Tool User Guide (Natural England Joint Publication JP039), each habitat parcel was entered into the QGIS Template where the data was exported into the Import Tool to consolidate the data to be entered into the Statutory Biodiversity Metric calculator.

Strategic Significance

- 3.15. This is a score based on whether the location of the habitat is significant for nature. An assessment of this variable requires consideration as to whether the site is located within the relevant biodiversity local strategy, plan or policy, designated sites for nature conservation, and the sites position within the landscape.
- 3.16. With reference to the Department of Environment, Food & Rural Affairs (DEFRA) Policy paper 'Local Nature Recovery Strategies' (LNRS), there are 48 local nature recovery strategy areas covering England². The relevant strategy area for the site is Leicestershire, Leicester, and Rutland and the relevant responsible body is the Leicestershire County Council³.
- 3.17. The LNRS applicable to the site is the Making Space for Nature Recovery Strategy for Leicestershire, Leicester and Rutland: Local Nature Recovery Strategy (Leicestershire County Council, 2025). Other relevant planning policy documents are:
 - Hinckley & Bosworth Borough Council Core Strategy Adopted December 2009

- 3.18. The site is not included within the planning policies as a nature conservation priority.
- 3.19. As detailed in the Hinckley & Bosworth Borough Council Core Strategy Adopted December 2009, the relevant Local Biodiversity Action Plan for the site is the Leicestershire and Rutland Biodiversity Action Plan (BAP).

Limitations

- 3.20. The accuracy of habitat area measurement is limited by the methods by which the baseline data was collected and resolution of development proposal plans. In this instance, baseline habitat areas have been calculated by cross referencing illustrative habitat plans mapped in the field with georeferenced aerial imagery. Post-development habitat areas were measured from the concept landscape plans, georeferenced into QGIS.
- 3.21. Reasonable assumptions have been made with regards to the type/condition of habitats that could be created, which would need to be informed by a detailed Landscape Ecological Management Plan.
- 3.22. The Biodiversity Metric uses habitats as a proxy for biodiversity, which is a simplification of the real world. Although informed by evidence and reasoning, the outputs of the Metric are not scientifically precise or absolute values. The generated biodiversity unit scores are a proxy for the relative biodiversity worth of a habitat or site. The metric and its outputs must be interpreted with ecological expertise and a common-sense approach. The metric is an aid to biodiversity decisions.
- 3.23. All dimensions and distances provided are approximate.
- 3.24. The present study has been informed by Planning Drawing (Paul Gaughan Building Consultants, March 2021) and as such assumptions have been made regarding the final

² <https://www.gov.uk/government/publications/local-nature-recovery-strategies/local-nature-recovery-strategies>

³ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1166611/Map_of_local_nature_recovery_strategy_areas_and_responsible_authorities.pdf

planned design including the precise extent of proposed landscaping and property boundaries.

3.25. The UKHab Habitat survey of the on-site area was undertaken outside of the optimal survey period of April to October. However, species identification of plants present outside of the optimal period is typically still possible based on the vegetative characteristics. Where additional surveys during the optimal period are required to assess the habitat type present, these are recommended.

3.26. Two trees were present in the southeast of the site, however with reference to the Biodiversity Metric User Guide, you must only:

'Record all medium, large and very large individual trees within private gardens.'

As the trees on site were recorded as small, these trees were not included in the baseline calculation.

3.27. The assessment has shown no change in hedgerow units, with a baseline 0.019 hedgerow units. This creates a deficit of 0.002 habitat units below the 10% net gain target. The Statutory Biodiversity Metric does not calculate using unit values lower than 0.01 and therefore has rounded the deficit result to 0.00 units for hedgerows.

4. Results

Desk Study

Statutory Designated Sites

- 4.1. The site does not form part of an international or national designated site for nature conservation.
- 4.2. A summary of designated sites identified via the desk study are presented in Table 3 below.

Table 3: Summary of Designated Sites.

Site Name	Designation	Description/ Reasons Designation	Main for	Distance & Direction from Site
Burbage Common & Woods	Local Nature Reserve (LNR)	Grassland, woodland, scrubland and heath. As well as hosting a large colony of adders tongue fern.		2.5km S
Burbage Wood and Aston Firs	Site of Special Interest (SSSI)	One of the best remaining examples of ash-oak-maple woodland in Leicestershire		3.8km S

- 4.3. The site lies within a Site of Special Scientific Interest Impact Risk Zone (SSSI IRZ), requiring the Local Planning Authority to consult with Natural England on any risks which may affect the SSSI sites as a result of certain development types. However, the current development type is not listed in the SSSI IRZ citation as requiring consultation.

Granted Natural England Mitigation Licences & Class Licence Returns

- 4.4. Records of previously granted Natural England Bat Mitigation Licences were recorded within a 2km radius of the site, summarised in Table 4.

Table 4: Summary of Granted EPS Licence Applications within a 2km radius of the site.

Species	Start / End Date	Roost Impacted	Types	Distance & Direction from Site
Great Crested Newt	04/10/2018 – 31/12/2022	Damage and destruction of a non-breeding resting place		1km E

Priority or Irreplaceable Habitats

- 4.5. Priority or irreplaceable habitats were not noted within the survey site.

4.6. No priority habitats were identified via the desk study.

Baseline Habitats

- 4.7. The baseline habitats and condition assessments at the site including the data entered into the Biodiversity Metric are given in the following tables and mapped on Figure 2: Baseline Habitat Plan. The baseline habitat condition scores and post-development retentions are shown in Figures 3 and 4. The ‘consolidated’ data is provided in the present report. Photographs of the habitats referred to are presented in Appendix 2: Photographs
- 4.8. No watercourses, including watercourse riparian zones, were present within the baseline habitats.
- 4.9. No irreplaceable habitats were present on site.
- 4.10. The on-site baseline habitat date was taken to be 5th December 2024, the date of the habitat survey, with no evidence of prior development occurring on site.

Table 5: On-site Habitat Baseline Areas

UKHab Habitat Code	UKHab Habitat Classification	Data Entered into Metric					Description	Photograph Ref No. (Appendix 2: Photographs)
		Unique Polygon Reference No.	Area (ha)	Condition	Strategic Significance	Habitat retained/enhanced/lost		
g4	Modified grassland	1	0.0266	Poor	Area/compensation not in local strategy/ no local strategy	0.0172ha retained 0.0094ha lost	An area of modified grassland was present in the west and south of the site comprising dominant rough meadow grass <i>Poa trivialis</i> , frequent creeping buttercup <i>Ranunculus repens</i> , occasional green alkanet <i>Pentaglottis sempervirens</i> , dandelion <i>Taraxacum officinale</i> agg., red fescue <i>Festuca rubra</i> , petty spurge <i>Euphorbia peplus</i> , rarely vetch <i>Vicia sp</i> , red dead nettle <i>Lamium purpureum</i> , speedwell <i>Veronica</i> . Locally dominant common nettle <i>Urtica dioica</i> was present at the south and west borders. Locally dominant common mouse ear <i>Cerastium fontanum</i> was present west of the existing dwelling. The grassland had an average of approximately 5 species per metre squared with over 90% of the sward below 7cm.	1
u1b	Developed land, sealed surface	2	0.0141	N/A – other	Area/compensation not in local strategy/ no local strategy	Retained	A single dwelling was present on site, set within concrete paving.	2
Secondary code - 828	Vegetated garden	3	0.0034	Condition Assessment N/A	Area/compensation not in local strategy/ no local strategy	0.0026ha retained 0.0008ha lost	An area of introduced shrubs was present in the northwest of the site, comprising rarely present bamboo <i>Bambusa</i> sp, Japanese honeysuckle <i>Lonicera japonica</i> , rose <i>Rosa</i> sp, <i>Cordyline</i> sp, blue spruce <i>Picea pungens</i> , Japanese barberry <i>Berberis thunbergia</i> and smooth hydrangea <i>Hydrangea arborescens</i> .	4

Table 6: On-site Hedgerow Baseline

UKHab Habitat Code	UKHab Habitat Classification	Data Entered into Metric					Description	Photograph Ref No. (Appendix 2: Photographs)
		Hedgerow No.	Length (km)	Condition	Strategic Significance	Hedgerow retained/enhanced/lost		
h2b	Non-native and ornamental hedgerow	1	0.019	Poor (automatically assigned by the metric)	Area/compensation not in local strategy/ no local strategy	Retained	Hedgerow H1 related to the hedgerow present on the western border of the site and was approximately 20m in length, 1m in height and 0.5m in width. The hedgerow comprised abundant bearberry cotoneaster <i>Cotoneaster dammeri</i> , occasional holly <i>Ilex aquifolium</i> , evergreen spindle <i>Euonymus japonicus</i> and rarely present rose <i>Rosa</i> sp, and boxleaf honeysuckle <i>Lonicera nitida</i> .	3

Table 7: Condition Assessment – Low Distinctiveness Grassland (Adapted from Defra, 2025)

Condition Sheet:			
Condition Assessment Criteria		Modified grassland	
		Condition Achieved (Y/N)	Notes/Justification
1	"There must be 6-8 species per m ² . If a grassland has 9 or more species per m ² it should be classified as a medium distinctiveness grassland habitat type. NB - this criterion is essential for achieving moderate condition."	N	5 species per m ² .
2	Sward height is varied (at least 20% of the sward is less than 7 cm and at least 20% is more than 7 cm) creating microclimates which provide opportunities for insects, birds and small mammals to live and breed.	N	Over 90% of the sward height was <7cm.
3	Some scattered scrub (including bramble) may be present, but scrub accounts for less than 20% of total grassland area. Note - patches of shrubs with continuous (more than 90%) cover should be classified as the relevant scrub habitat type.	Y	No scattered scrub.
4	Physical damage is evident in less than 5% of total grassland area. Examples of physical damage include excessive poaching, damage from machinery use or storage, erosion caused by high levels of access, or any other damaging management activities.	N	Damage was approximately 10% from vehicular disturbance.
5	Cover of bare ground is between 1% and 10%, including localised areas (for example, a concentration of rabbit warrens).	Y	Cover of bare ground was approximately 6%.
6	Cover of bracken less than 20%.	Y	No bracken present.
7	There is an absence of invasive non-native species (as listed on Schedule 9 of WCA, 1981).	N	Variegated yellow archangel was present within the grassland.
Essential criterion 1 achieved (Y/N)		N	
Number of criteria passed		3	
Condition Assessment Result	Condition Assessment Score	South modified grassland Score Achieved ✕/✓	
Passes 6 or 7 of 7 criteria including passing essential criterion 1	Good (3)		
Passes 4 or 5 of 7 criteria including passing essential criterion 1	Moderate (2)		
Passes 0, 1, 2 or 3 of 7 criteria; OR 4, 5 or 6 of criteria but failing criterion 1	Poor (1)	✓	

Proposed Design

- 4.11. The proposed design comprises the erection of a single dwelling with associated hard and soft landscaping.
- 4.12. The proposed 'consolidated' values for post-development created habitats and hedgerows at the site entered into the Biodiversity Metric are given in Table 8 and mapped on Figure 5: Proposed Habitats Plan. The target conditions for the habitats and hedgerows are shown in Figure 6: Proposed Habitat Target Condition Plan.

Table 8: On-site Habitat Creation

Data Entered into Metric						
Broad Habitat	Proposed Habitat	Area (ha)	Condition	Strategic Significance	Habitat created in advance/years	Delay in starting habitat creation/years
Urban	Developed land; sealed surface	0.0102	N/A - Other	Area/compensation not in local strategy/ no local strategy	0	0

Biodiversity Metric Results

4.13. The completed biodiversity metric excel spreadsheet has been issued with the present report and should be read in conjunction with it. The 'headline results' output of the Statutory Biodiversity Metric calculation are presented in Table 9 below.

Table 9: Summary of Biodiversity Metric Output

	Habitat / Hedgerow	Unit
On-site Baseline Units	Habitat	0.06
	Hedgerow	0.02
On-Site Post-Intervention Units	Habitat	0.04
	Hedgerow	0.02
Total Net Unit Change	Habitat	-0.02
	Hedgerow	0.00
On-site net % change	Habitat	-34.00%
	Hedgerow	0.00%
Trading rules satisfied?		No

5. Conclusion

5.1. Regarding the creation of habitats in private dwelling gardens post-development, the Statutory Biodiversity Metric User Guide states that:

'The post-development private garden has no public access, and biodiversity net gains cannot be legally secured.'

As these gains cannot be secured you should only record created private gardens as either:

- *'urban – vegetated garden'; or*
- *'urban - unvegetated garden'*

You should not:

- *record the creation of any other new habitats within private gardens*
- *record enhancement of any habitat within private gardens'*

5.2. Due to the above, and as the post-development site lies entirely within residential private ownership, on-site habitat creation cannot be counted towards achieving a biodiversity net gain at the site. It is therefore not possible to deliver a 10% Biodiversity Net Gain within the site.

5.3. Following best practice guidelines for use of the Statutory Biodiversity Metric, assessment has shown a total net loss post-development of -0.02 habitat units (-34.00%), this equates to a deficit of 0.03 habitat units to deliver the biodiversity net gain target of 10%. The assessment has also shown change post-development in hedgerow units (0.00%), this equates to a deficit of 0.002 hedgerow units, rounded down by the Metric to 0.00, below the biodiversity net gain target of 10%.

5.4. It is considered that the on-site delivery of the 0.03 habitat units and 0.002 hedgerow units to deliver a 10% net gain would not be feasible, due to the rules set out within the biodiversity metric user guide. It is therefore recommended that off-site habitat compensation options are explored, such as via purchasing the biodiversity units from a third-party habitat bank.

6. References

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UKHab Ltd (2023). *UK Habitat Classification Version 2.0* (at <https://www.ukhab.org>)

7. Figures

Figure 1: Site Location Plan (Overleaf)

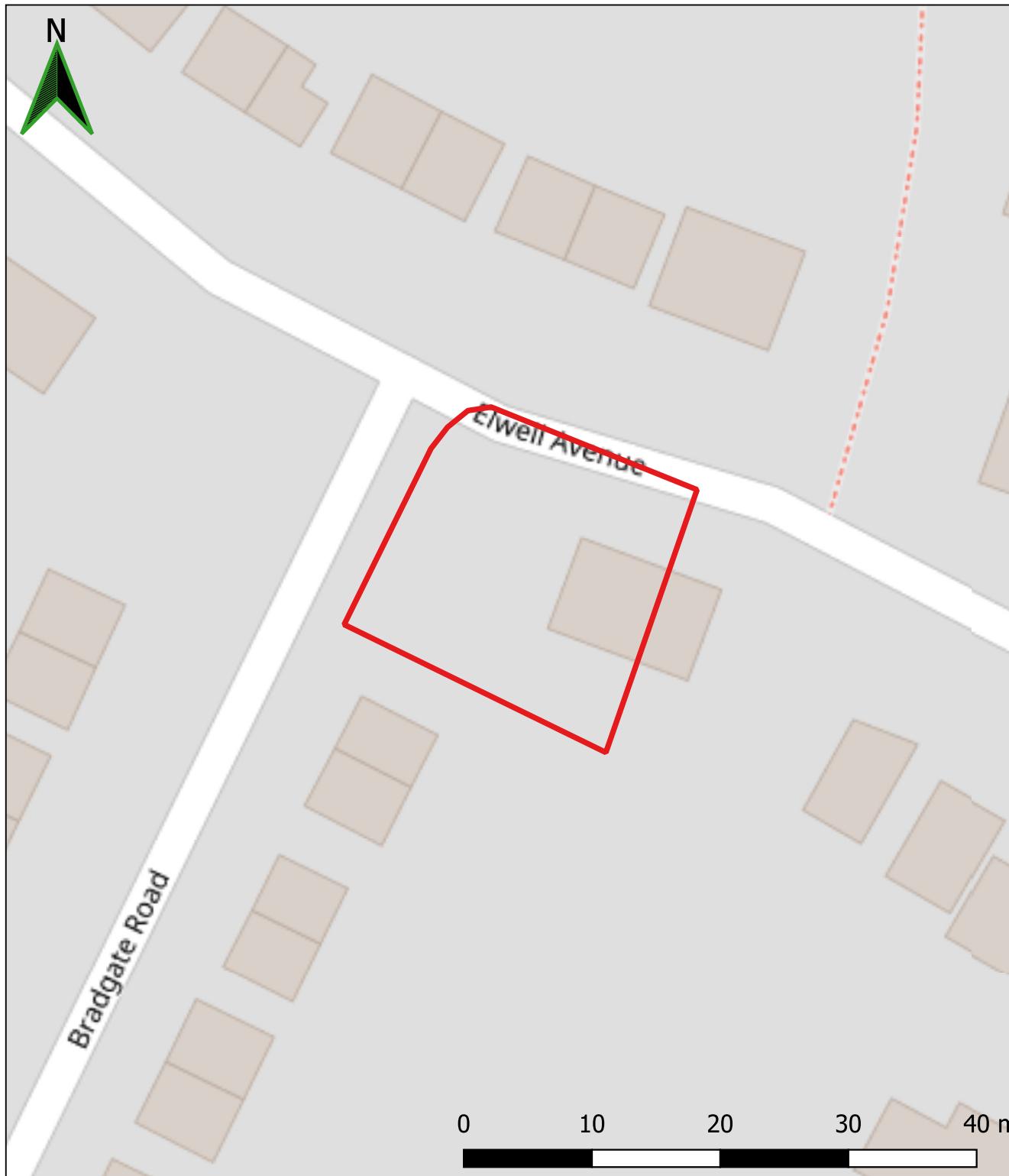
Figure 2: Baseline Habitat Plan (Overleaf)

Figure 3: Baseline Habitat Condition Plan (Overleaf)

Figure 4: Baseline Habitat Retention Plan (Overleaf)

Figure 5: Proposed Habitat Plan (Overleaf)

Figure 6: Proposed Habitat Condition Plan (Overleaf)



Legend

Site Boundary

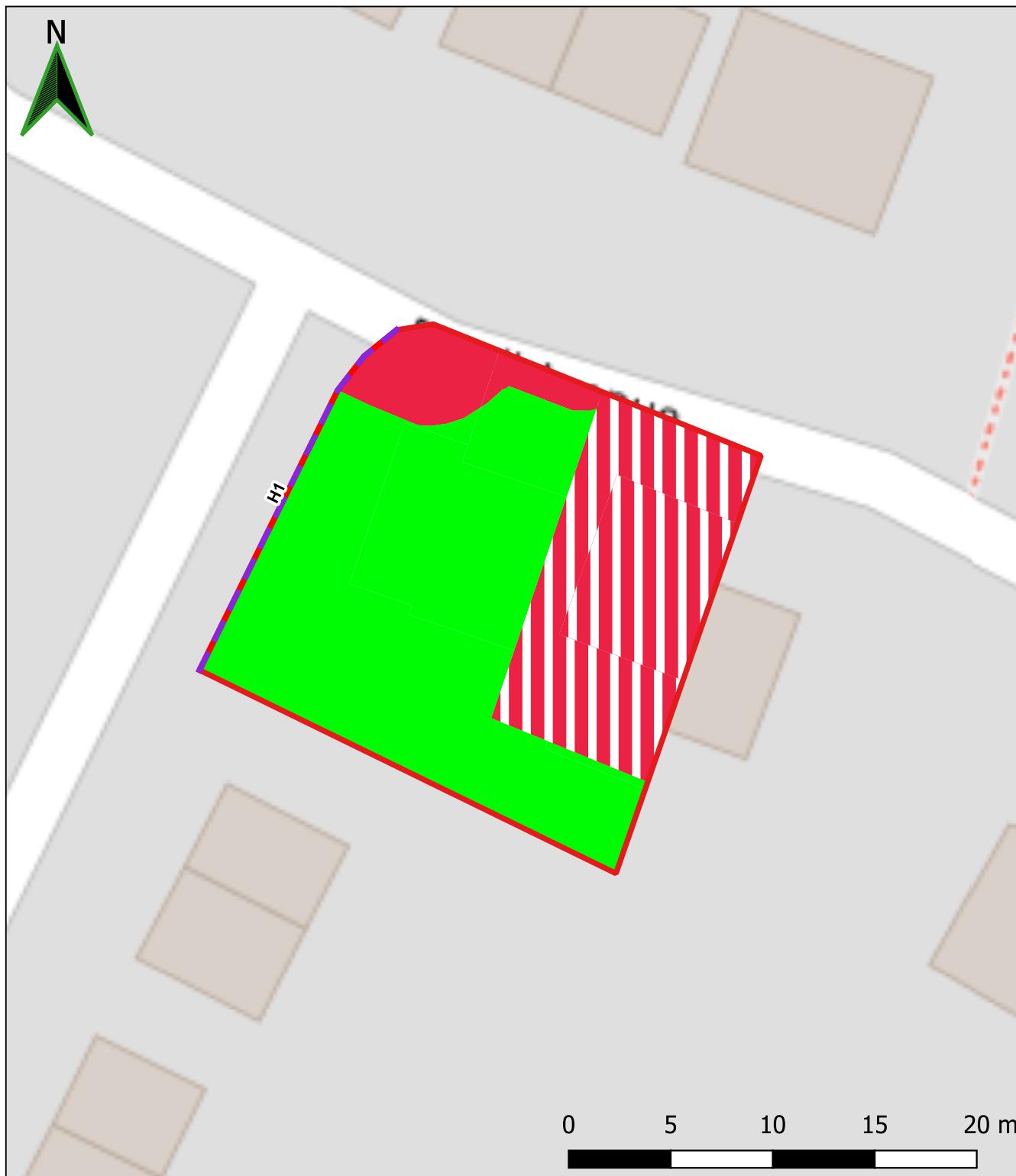
Project:
Land adjacent to 22 Elwell Avenue, Barwell, Leicester, LE9 8FH

Drawing:
Figure 1: Site Location Plan
Date: 17-10-2025 Version: FINAL
Author: EJ Job No: P2725



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Legend

- Site Boundary
- Non-native and ornamental hedgerow
- Developed land; sealed surface
- Modified grassland
- Vegetated garden

Project:
**Land adjacent to 22 Elwell Avenue,
Barwell, Leicester, LE9 8FH**

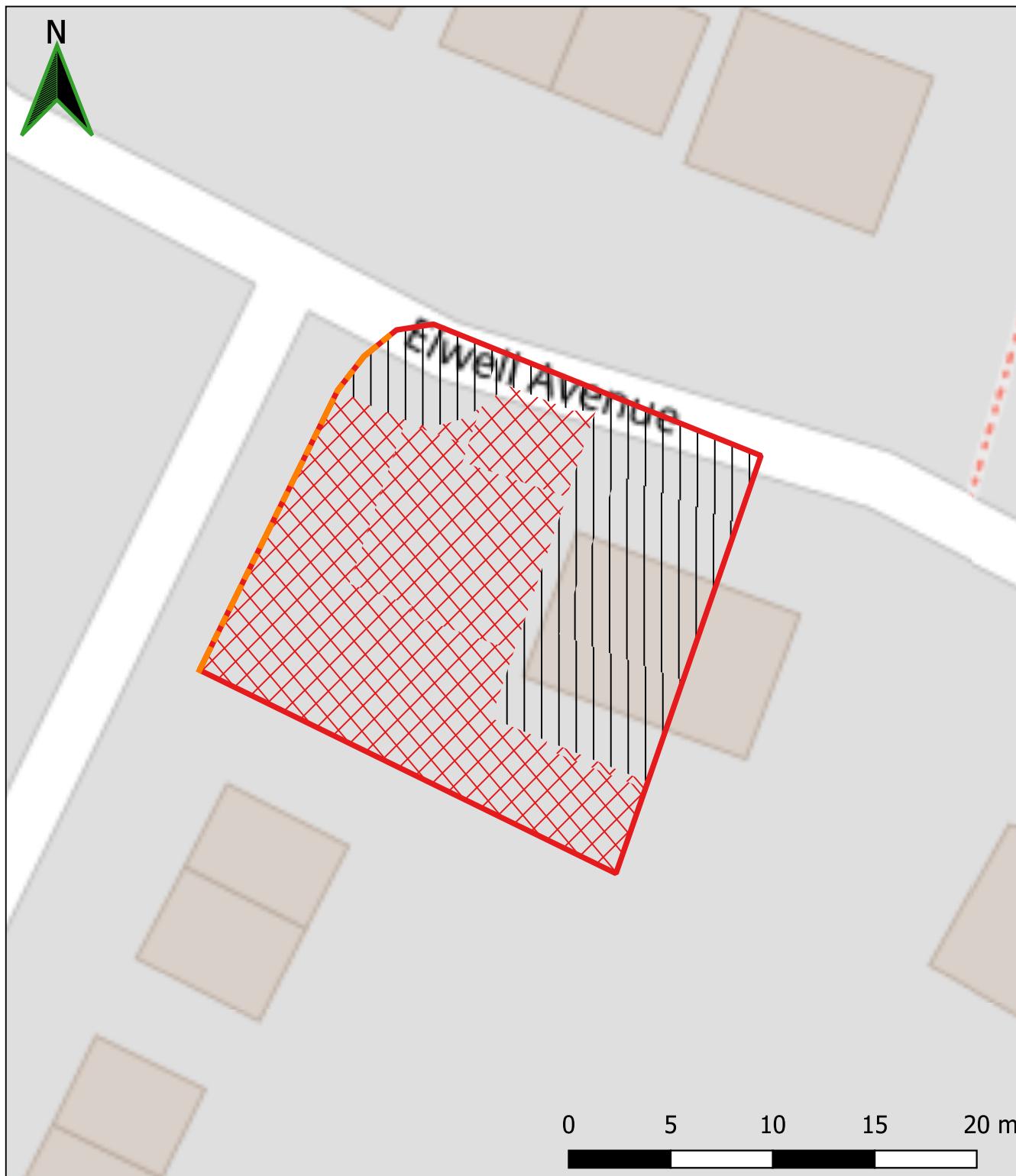
Drawing:
Figure 2: Baseline Habitat Plan

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Author: EJ Job No: P2725



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Legend

- Site Boundary
- Baseline Hedgerow Condition
- Poor
- Baseline Habitat Condition
- Poor
- N/A - Other
- Condition Assessment N/A

Project:
**Land adjacent to 22 Elwell Avenue,
 Barwell, Leicester, LE9 8FH**

Drawing:
Figure 3: Baseline Habitat Condition Plan

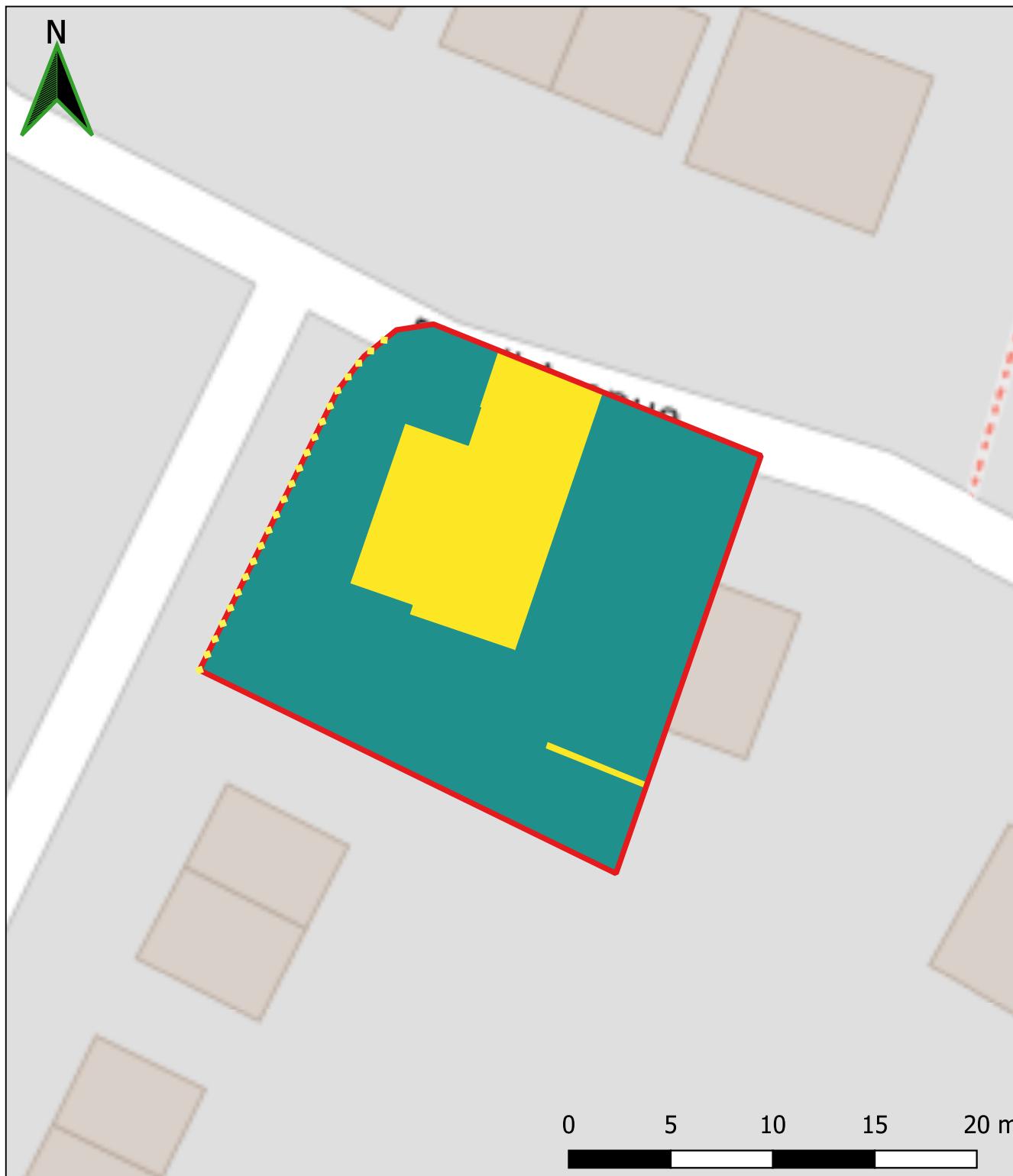
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Legend

- Site Boundary
- Hedgerow Retention
 - Retained
 - Lost
- Habitats Retention
 - Retained
 - Lost

Project:
**Land adjacent to 22 Elwell Avenue,
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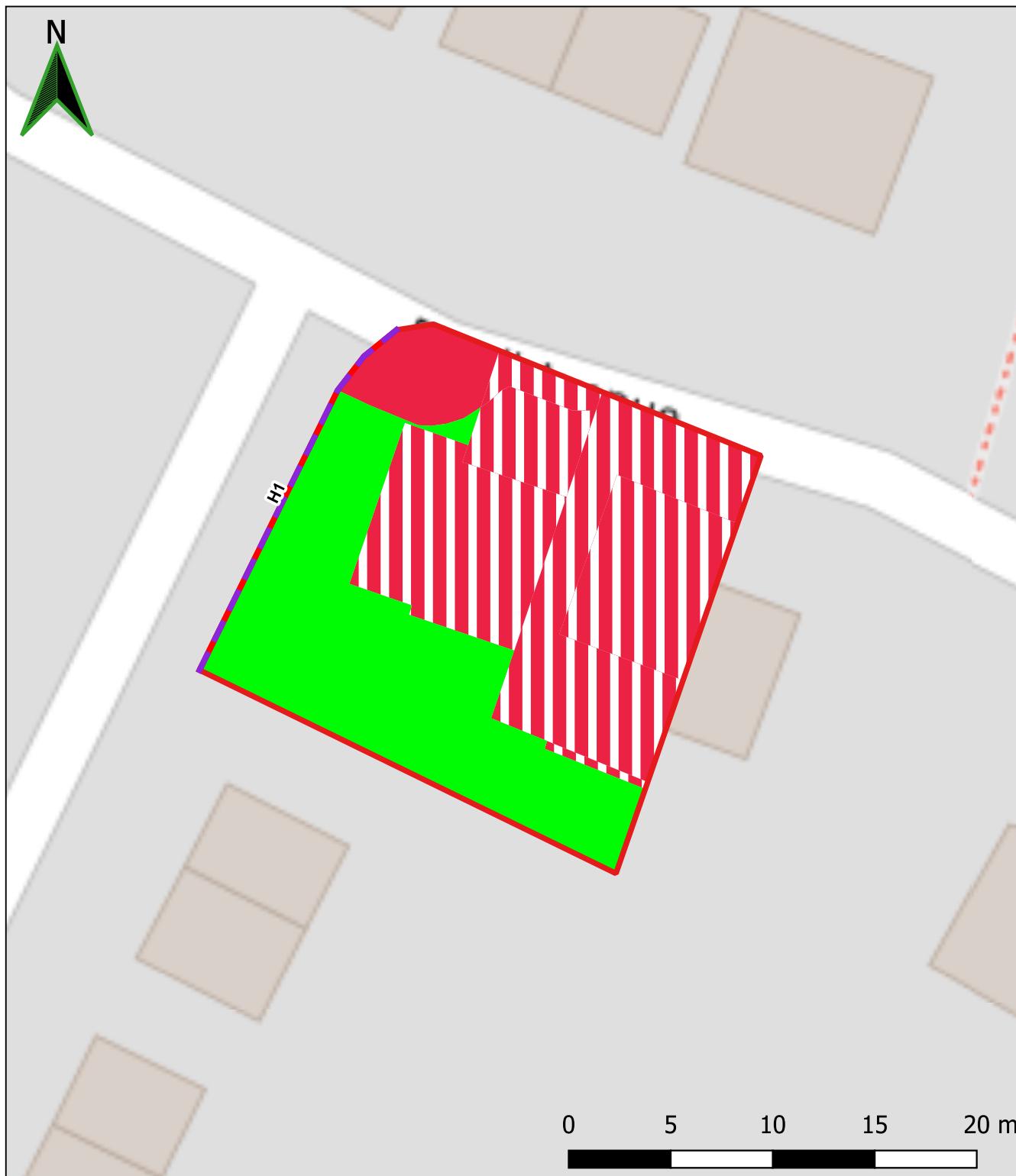
Drawing:
Figure 4: Baseline Habitat Retention Plan

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Legend

- Site Boundary
- Non-native and ornamental hedgerow
- Developed land; sealed surface
- Modified grassland
- Vegetated garden

Project:
**Land adjacent to 22 Elwell Avenue,
 Barwell, Leicester, LE9 8FH**

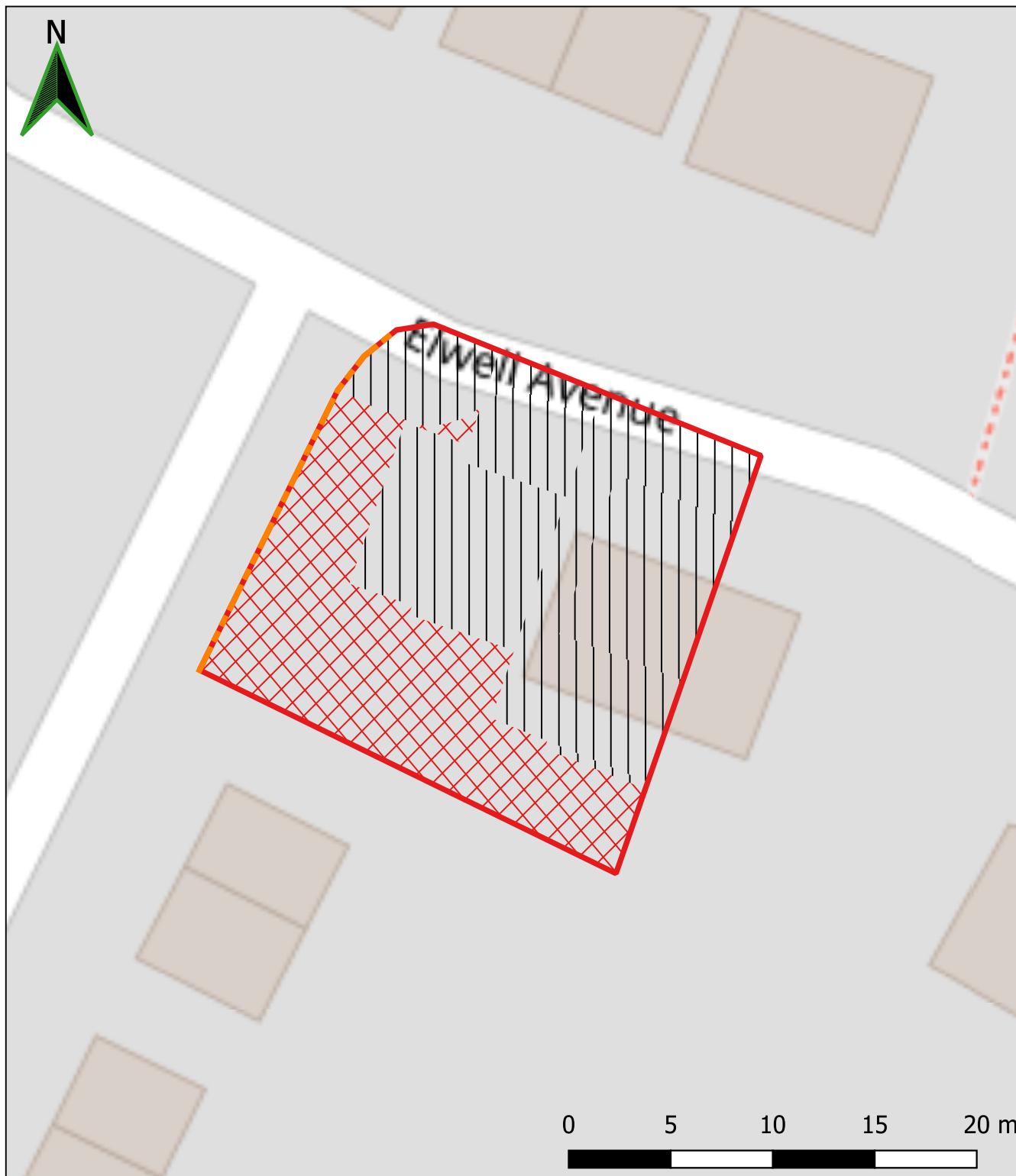
Drawing:
Figure 5: Proposed Habitat Plan

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Legend

- Site Boundary
- Proposed Hedgerow Condition
- Poor
- Proposed Habitats Condition
- Poor
- N/A - Other
- Condition Assessment N/A

Project:
**Land adjacent to 22 Elwell Avenue,
Barwell, Leicester, LE9 8FH**

Drawing:
Figure 6: Proposed Habitat Condition Plan

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Appendix 1: Planning Policy & Legislation Summary

This appendix serves as a summary of relevant policy and legislation. It is not intended to supersede the policy or legislation documents to which it refers, and the relevant full documents should always be consulted prior to decision making.

National Planning Policy Framework 2024

Biodiversity is a material consideration under the National Planning Policy Framework (2023). Relevant text to biodiversity from the NPPF is described below.

In Section 2 of the NPPF 'Achieving sustainable development', paragraph 8(c), the NPPF sets an environmental objective:

"to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."

In Section 15 'Conserving and enhancing the natural environment', the NPPF states that:

"187. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- *protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- *recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; [...]*
- *minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. [...]*

The NPPF, in paragraph 192 sets out that to protect and enhance biodiversity, plans should:

- *"Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity⁶⁵; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and*
- *promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity."*

In determining planning applications, the NPPF paragraph 193 sets guidance that local planning authorities should apply the following principles:

- *"if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*

- *development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest [...];*
- *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
- *development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”*

Paragraph 194 states that the following sites should be given the same protection as habitats sites:

- *“potential Special Protection Areas and possible Special Areas of Conservation;*
- *listed or proposed Ramsar sites; and*
- *sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.”*

Paragraph 195 states that “The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or projects will not adversely affect the integrity of the habitats site.”

Paragraph 198 states that planning policies and decisions should ensure new development is appropriate to its location and take into account likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- *“Mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development [...]; [...] and*
- *limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”*

The Environment Act 2021

Schedule 14 makes provision for biodiversity gain to be a condition of planning permission in England. The biodiversity net gain relevant percentage is currently set to 10% by the Act.

Appendix 2: Photographs



Photo 1: The modified grassland present on site.



Photo 2: The residential dwelling present on site set within an area of concrete paving.



Photo 3: The hedgerow present on the western border of the site (H1).



Photo 4: The area of vegetated garden in the northwest of the site.