



CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley	
APPLICATION NUMBER	24/01124/FUL	
ADDRESS	Barwell Constitutional Club 20 Chapel Street Barwell Leicester Leicestershire	
DESCRIPTION OF DEVELOPMENT	Erection of 2no. two storey dwellings (revised scheme of 23/00716/FUL)	
PLANNING CASE OFFICER	Ashleigh Gade	
DEPARTMENT	Ecology	
PLANNING ECOLOGY OFFICER	Richard Kelly	
DATE OF COMMENTS	17/10/2025	
ECOLOGICAL DOCUMENTS REVIEWED:		
• Application Form • Ecology Response (16/01/2025; 29/01/2025) • Planning, Design and Access Statement • Proposed Elevations, Section, Floor Plans, Drg No. HPD101 • Proposed Block Plan, Site Location Plan, Drg No. HPD011 Rev A • Proposed Block and Location Plan • Biodiversity Net Gain Summary (JM Ecology, September 2025) • BNG Metric (08/09/2025)		
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 and advice provided by Leicestershire County Council Ecology (16/01/2025; 29/01/2025) with updated comments below.

- Previous comments relating to protected species are still current however, vegetation will be removed to facilitate the development.
- Any vegetation clearance should take place outside of the bird nesting season which runs from March to August inclusive. If this is not possible then a nesting bird check will be required, no later than 24 hours prior to removal by a suitably qualified ecologist. **Please see recommended Informatives.**
- **Biodiversity Enhancements** – There is a requirement for net biodiversity gain in accordance with the NPPF (2024) and no net loss of biodiversity NERC Act (2006). A landscaping scheme has been received that includes native species which is welcomed and accepted as part of the planning application. Further details of bat and bird boxes should be included within the scheme in addition to fencing containing 13cm by 13cm gaps to allow hedgehog passage. **Please see recommended Conditions.**

BNG Specific

- It is accepted the current use is of amenity space and not private or vegetated garden.
- **Currently, Statutory Biodiversity Net Gain is not achievable on-site with -69.66% decrease in Habitat Units and a -100% decrease in Hedgerow Units.**
- The Biodiversity Net Gain Summary proposes the 10% Biodiversity Net Gain is proposed to be secured from off-site biodiversity unit providers. Full details including biodiversity gain site reference and purchase number will be required to be submitted with the discharge of the Biodiversity Gain Plan.
- Any off-site enhancements will need to be secured for a period of 30 years either by condition, S106 or conservation covenant.
- The baseline values have been assessed which are accepted, at post-development, values will be confirmed at the discharge of Biodiversity Gain Plan condition and will need to be secured, if it is on applicant owned land then the below will be required.
- A Habitat Management and Monitoring Plan (HMMP) and biodiversity net gain will also need to be secured by condition. **Please see recommended Conditions.**

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

- **Landscape Enhancement Plan** - No development shall take place until a biodiversity enhancement plan has been submitted to and approved in writing by the LPA. Enhancements shall include (but is not limited to) 13cm x 13cm holes at the base of new close board fencing. At least two integrated bat boxes, two bird boxes with the makes/models and their locations. The biodiversity enhancement scheme shall include planting of hedgerows and trees of native species of local provenance and species to attract pollinating insects as identified in the RHS' 'Plants for Pollinators' database. Any enhancement measures need to be shown on all relevant submitted plans. All works are to proceed strictly in accordance with the approved scheme.

• 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	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) PLEASE NOTE: this is indicative only , confirmed at Biodiversity Gain Plan condition stage	Y
TYPE OF SIGNIFICANT ON-SITE HABITAT PROPOSED: (using the current government definition ¹)	
Medium or High Distinctiveness	N/A
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
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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