

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

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| COUNTY, DISTRICT OR BOROUGH | Hinckley & Bosworth Borough Council | |
| APPLICATION NUMBER | 25/01013/FUL | |
| ADDRESS | Land North Barton Road Barlestone Leicestershire | |
| DESCRIPTION OF DEVELOPMENT | Erection of 28 dwellings | |
| PLANNING CASE OFFICER | Christopher Brown | |
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| DEPARTMENT | Ecology | |
| PLANNING ECOLOGY OFFICER | Alice Burgess ACIEEM | |
| DATE OF COMMENTS | 27/11/25 | |
| ECOLOGICAL DOCUMENTS REVIEWED: | | |
| <ul style="list-style-type: none"> • Statutory Biodiversity Net Gain Metric Calculation Tool (7th October 2012) • Preliminary Ecological Appraisal (PEA) quotation (RSK Wilding, August 2025) • Biodiversity Net Gain Design Stage Report (RSK Wilding, October 2025) • Update Ecology Survey (FPCR, September 2025) | | |
| SUMMARY RECOMMENDATION: | | |
| No comment | | |
| No objection (for recommended conditions or informatives- see below) | | |
| Recommend Refusal | | |
| Holding Objection - Further information required | | ✓ |
| REASON FOR RECOMMENDATION: | | |
| <ul style="list-style-type: none"> • On the start page of the Statutory Biodiversity Net Gain Metric Calculation Tool (7th October 2012) it states it was completed in 2012. Please can this be corrected to the date that the metric itself was completed. • The document titled Preliminary Ecological Appraisal (PEA) on the portal does not contain the PEA report itself and shows a quotation from the ecological consultant. The PEA report itself needs to be made available for review. • The Update Ecology Survey (FPCR, September 2025) has been reviewed and summarises no significant ecological changes or constraints to the site. Precautionary working methods for reptiles have been recommended. • The Biodiversity Net Gain Design Stage Report (RSK Wilding, October 2025) is comprehensive and clearly shows the areas subject to habitat degradation. The suggested enhancements are locally appropriate, however 10% gain in habitats has not been achieved, and therefore purchase of off-site units is required. | | |

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| <ul style="list-style-type: none"> If this is being secured through a Section 106 agreement with the determining authority, this will also need to be monitored for compliance during this 30-year term and a fee will be charged by the determining authority for this, through an appropriate clause in the Section 106 agreement against the current Charging Schedule. |
| ANY RECOMMENDED CONDITIONS TO BE APPLIED: |
| <ul style="list-style-type: none"> The development hereby approved shall be implemented in strict accordance with the measures stated in the recommendations section of the Update Ecology Survey (FPCR, September 2025) unless otherwise agreed in writing by the Local Planning Authority. No development shall take place (including ground works or vegetation clearance) until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following details: <ul style="list-style-type: none"> A. description and evaluation of the features to be created/enhanced B. aims and objectives of management C. appropriate management options for achieving aims and objectives D. prescriptions for management actions E. work schedule F. species/seed mixes to be planted/sown G. ongoing monitoring and remedial measures The approved plan will be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority. No development shall take place (including ground works or vegetation clearance) until a Habitat Management and Monitoring Plan (HMMP) has been submitted to and approved in writing by the Local Planning Authority. The approved HMMP shall be adhered to and implemented, unless otherwise agreed in writing by the Local Planning Authority. Reason: to ensure that protected species and habitats are taken into consideration according to legislation under the Habitats and Species Regulations (2017) and the Wildlife and Countryside Act (1981) and their amendments. |
| ANY RECOMMENDED INFORMATIVES TO BE APPLIED: |
| <ul style="list-style-type: none"> N/A |
| IN THE CASE OF DISCHARGE OF CONDITIONS ONLY: (Please confirm which condition(s) is/are being discharged) |
| <ul style="list-style-type: none"> 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) | Y |
| 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

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

Y

Statutory biodiversity credits

Y

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 | <ul style="list-style-type: none"> -Other neutral grassland -Individual trees -Species rich native hedgerow with trees -Species rich hedgerow -Native hedgerow | |
| Large number of units at Low Distinctiveness | | |
| Significant increase in Distinctiveness, Condition or Area | | |

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

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

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. |