

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	25/00465/FUL
ADDRESS	Barwell Methodist Church 25 Chapel Street Barwell Leicester Leicestershire
DESCRIPTION OF DEVELOPMENT	Erection of timber building to provide early years places for the day nursery and part retrospective change of use of Church building from Class F1 to Class E.
PLANNING CASE OFFICER	Ashleigh Gade
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Michael McCoy
DATE OF COMMENTS	04 September 2025
ECOLOGICAL DOCUMENTS REVIEWED:	
• BIA Baseline Habitat Map, Drg No. 1794 21 Rev 1 (DJOGS Ltd, 2025) • BIA Post Development Habitat Map with enhancements, Drg No. 1794 22 Rev 2 (DJOGS Ltd, 2025) • Barwell Condition Assessment (Billingsley, July 2025) • BNG Metric – Rev F (Billingsley, July 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 have queries/amendments that need addressing prior to determination. • As per the previous ecology statement: <i>“Having reviewed over aerial imagery of the site and looked at the introduced scrub, this can be categorised as part of the vegetated garden, therefore, in order for this application to go forward, the baseline map (and post-development map) should be updated to match the BNG, with removal of amenity grassland and introduced shrubs from the map and replaced with vegetated garden only”.</i> • ‘Amenity grassland’ is a phase one habitat type and therefore cannot be used with BNG.	

- The newest version of BNG metric submitted has changed the vegetated garden to modified grassland, however, aerial imagery and photos show this is within a private garden and therefore must be categorised as 'vegetated garden' only. - As per the statutory metric user guide: <i>"The post-development private garden has no public access, and biodiversity net gains cannot be legally secured. When assessing habitat changes within a private garden, you should not:</i> <i>record the creation of any new habitats as anything other than 'urban – vegetated garden' or 'urban – unvegetated garden' habitat types"</i> - As new habitat cannot be created in vegetated garden, it is recommended that off-site creation or purchase of biodiversity credits is needed to make up the 10%. - A BNG statement is also required to confirm the BNG needed as well as state the predevelopment habitat value (taken from the BNG metric) – these are needed as part of the minimum national information requirements been provided (PPG paragraph 11)	
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	N
Pre-development Habitat Plan of existing onsite habitat (to scale)	Y
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)	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)	Y
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)	N
PLEASE NOTE: this is indicative only , confirmed at Biodiversity Gain Plan condition stage	

TYPE OF SIGNIFICANT ON-SITE HABITAT PROPOSED : (using the current government definition ¹)	
Medium or High Distinctiveness	N
Large number of units at Low Distinctiveness	N
Significant increase in Distinctiveness, Condition or Area	N

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>

