

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	24/00709/REM (reconsultation)
ADDRESS	Ashfield Farm Kirkby Road Desford Leicester Leicestershire
DESCRIPTION OF DEVELOPMENT	Application for approval (relating to Appearance, Landscaping, Layout and Scale for the erection of 120 dwellings and associated works.) attached to planning permission 22/01227/OUT
PLANNING CASE OFFICER	Alex Jelley
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Sue Hooton
DATE OF COMMENTS	13 August 2025
ECOLOGICAL DOCUMENTS REVIEWED:	
• Updated Biodiversity Metric 3.1 Rev 10 June 2025 • Soft Landscaping Proposals - Detailed Drgs. 1-3 Rev C (Golby & Luck, July 2025) • Materials Layout/Boundary treatment Rev. P04 (Davidsons, April 2025)	
SUMMARY RECOMMENDATION:	
No comment	☐
No objection (for recommended conditions or informatives- see below)	☐
Recommend Refusal	☐
Holding Objection - Further information required	☐
Recommend discharge of conditions 5 and 6	☒
REASON FOR RECOMMENDATION:	
• We are still satisfied that ecological mitigation was secured at outline stage mitigation in the Appeal decision notice for (APP/K2420/W/23/3320601). This relates to Ecological Opportunities and Constraints Plan (Condition 5) and Biodiversity Metric (Condition 6). • Condition 5: <i>With or before the submission of Reserved Matters an Ecological Constraints and Opportunities Plan (ECOP) shall be submitted to and approved in writing by the local planning authority. The ECOP should identify the following, in accordance with BS 42020:2013 Clause 5.4:</i> • Areas and features including appropriate buffer areas that, by virtue of their importance, should retained and avoided by both construction	

activities and the overall footprint of the development.

- Areas and features where opportunities exist to undertake necessary mitigation and compensation.
- Areas and features with potential for biodiversity enhancement, in line with the submitted Defra metric.
- Areas where ongoing ecological management is required to prevent deterioration in condition during construction/implementation.
- Areas needing protection on site and/or in adjacent areas (e.g. from physical damage on site or pollution downstream) during the construction process.
- Areas where biosecurity measures are necessary to manage the risk of spreading pathogens or non-native invasive species.

The development hereby permitted shall be carried out in accordance with the approved details and in accordance with any approved timeframes

- We are still satisfied that the updated Ecological Constraints and Opportunities Plan (Brindle & Green, June 2025) meets the requirements of Condition 5 and we recommend discharge of this ecological condition.
- We highlight that the submitted Materials Layout / Boundary Treatment layout rev P04 does not currently show the Hedgehog highways in garden fences as detailed in the ECOP.

Condition 6: *With or before the submission of Reserved Matters a scheme that demonstrates a Biodiversity Metric 3.1 calculation achieving a minimum 25% net gain in area habitat value shall be submitted to and agreed in writing by the local planning authority. The approved scheme shall be implemented in accordance with the agreed details.*

- We are still satisfied that the submitted Biodiversity Metric 3.1 Rev 10 meets the requirements of Condition 6 and we recommend discharge of this ecological condition.
- We have no further ecological recommendations for this Reserved Matters approval as previously recommended conditions and informatives are not necessary as the submitted Ecological Constraints and Opportunity Plan includes sufficient detail.

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

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ANY RECOMMENDED INFORMATIVES TO BE APPLIED:

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IN THE CASE OF DISCHARGE OF CONDITIONS ONLY:

(Please confirm which condition(s) is/are being discharged)

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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	Choose an item.
Pre-development Habitat Plan of existing onsite habitat (to scale)	Choose an item.
Pre-development Habitat Value (on date of application or earlier)	Choose an item.

Completed Metric Calculation Tool	Choose an item.
Statement of Habitat Degradation where present (with dates and details)	Choose an item.
Reason for proposing an earlier date if applicable (ie. degradation)	Choose an item.
Description of Irreplaceable Habitat where present	Choose an item.
SMALL SITES METRIC ONLY: "Competent person" information (ie. qualifications, skills, experience)	Choose an item.
BNG METRIC INFORMATION missing or incorrect:	
Incomplete or incorrect cells are shown in metric (eg. habitat quantity, type or condition, strategic significance)	Choose an item.
ON-SITE AND OFF-SITE PROPOSALS PRESENT: These should be secured and monitored for 30 years	
Applicant-owned significant onsite BNG is proposed	Choose an item.
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	Choose an item.
TYPE OF SIGNIFICANT ON-SITE HABITAT PROPOSED: (using the current government definition ¹)	
Medium or High Distinctiveness	Choose an item.
Large number of units at Low Distinctiveness	Choose an item.
Significant increase in Distinctiveness, Condition or Area	Choose an item.

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

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

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.