

**CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:**

**ECOLOGY AND BIODIVERSITY PLANNING ADVICE**

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| <b>COUNTY, DISTRICT OR BOROUGH</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Hinckley and Bosworth Borough Council                                                              |   |
| <b>APPLICATION NUMBER</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 26/00257/OUT                                                                                       |   |
| <b>ADDRESS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Land South Of Cunnery Close Barlestone Leicestershire                                              |   |
| <b>DESCRIPTION OF DEVELOPMENT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Outline planning application for the erection of up to 158 dwellings (all matters reserved access) |   |
| <b>PLANNING CASE OFFICER</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Sullivan Archer                                                                                    |   |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                    |   |
| <b>DEPARTMENT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Ecology                                                                                            |   |
| <b>PLANNING ECOLOGY OFFICER</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Michael McCoy                                                                                      |   |
| <b>DATE OF COMMENTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 20 April 2026                                                                                      |   |
| <b>ECOLOGICAL DOCUMENTS REVIEWED:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                    |   |
| <ul style="list-style-type: none"> <li>• Biodiversity Net Gain Report (FPCR, Mar 2026)</li> <li>• BNG Metric (FPCR, Mar 2026)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                    |   |
| <b>SUMMARY RECOMMENDATION:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                    |   |
| <b>No comment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                    |   |
| <b>No objection (for recommended conditions or informatives- see below)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                    |   |
| <b>Recommend Refusal</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                    |   |
| <b>Holding Objection - Further information required</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                    | ✓ |
| <b>REASON FOR RECOMMENDATION:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                    |   |
| <ul style="list-style-type: none"> <li>• Please can the Ecological Impact Assessment (EclA) report be provided to evaluate impacts on protected species.</li> <li>• In the BNG report, Table 3 and the hedgerow tab in the metric do not match. - please can this be amended</li> <li>• Further information is needed on why the ditch is split into three areas – please user comments be completed.</li> <li>• Please can the results from the river condition assessment survey (MoRPh) also be presented.</li> <li>• While the survey limitations acknowledges that the survey took place outside the recommended the survey season, further justification is needed as to how the surveyors have confidence that the other neutral grassland condition and species list was not undervalued.</li> <li>• If not already in the EclA report, please can photos of the site be provided.</li> </ul> |                                                                                                    |   |

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| <ul style="list-style-type: none"> <li>As significant enhancements are proposed, the land will need to be secured for 30 years. Please see HMMP condition below.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>ANY RECOMMENDED CONDITIONS TO BE APPLIED:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <ul style="list-style-type: none"> <li>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: <ul style="list-style-type: none"> <li>a) Description and evaluation of the features to be managed;</li> <li>b) Ecological trends and constraints on site that may influence management;</li> <li>c) Aims, objectives and targets for management - links with local and national species and habitat action plans;</li> <li>d) Description of the management operations necessary to achieving aims and objectives;</li> <li>e) Preparation of a works schedule, including annual works schedule;</li> <li>f) Details and a timetable of the monitoring needed to measure the effectiveness of management;</li> <li>g) Details of the persons responsible for the implementation and monitoring;</li> <li>h) mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets; and</li> <li>i) Details of methodology and frequency of monitoring reports to be submitted to the Local Planning Authority to assess biodiversity gain</li> </ul> </li> <li>(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)</li> </ul> |
| <b>ANY RECOMMENDED INFORMATIVES TO BE APPLIED:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <ul style="list-style-type: none"> <li>N/A</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>IN THE CASE OF DISCHARGE OF CONDITIONS ONLY:</b><br>(Please confirm which condition(s) is/are being discharged)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <ul style="list-style-type: none"> <li>N/A</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

| <b>PRE-DEVELOPMENT HABITAT BASELINE FOR BIODIVERSITY NET GAIN (BNG)</b>                                                                 |     |
|-----------------------------------------------------------------------------------------------------------------------------------------|-----|
| <b>THIS IS THE MINIMUM NATIONAL ESSENTIAL INFORMATION REQUIREMENTS (PPG paragraph 11) AND MUST BE SATISFIED PRIOR TO DETERMINATION:</b> |     |
| <b>Confirmation</b> that development is subject to statutory biodiversity gain condition                                                | Y   |
| <b>Pre-development Habitat Plan of existing onsite habitat</b> (to scale)                                                               | Y   |
| <b>Pre-development Habitat Value</b> (on date of application or earlier)                                                                | Y   |
| Completed <b>Metric Calculation Tool</b>                                                                                                | Y   |
| Statement of <b>Habitat Degradation</b> where present (with dates and details)                                                          | N/A |
| <b>Reason</b> for proposing an earlier date if applicable (ie. degradation)                                                             | N/A |
| Description of <b>Irreplaceable Habitat</b> where present                                                                               | N/A |
| <b>SMALL SITES METRIC ONLY:</b> "Competent person" information (ie. qualifications, skills, experience)                                 | N/A |
| <b>BNG METRIC INFORMATION missing or incorrect:</b>                                                                                     |     |

|                                                                                                                     |   |
|---------------------------------------------------------------------------------------------------------------------|---|
| Incomplete or incorrect cells are shown in metric (eg. habitat quantity, type or condition, strategic significance) | Y |
|---------------------------------------------------------------------------------------------------------------------|---|

| POST DEVELOPMENT PROPOSALS FOR BIODIVERSITY NET GAIN (BNG)                                                                                                                                                                       |   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| <b>PLEASE NOTE: THIS IS NOT ESSENTIAL INFORMATION PRIOR TO DETERMINATION.</b><br>Post-development information is <b>indicative only</b> ; final proposals must be confirmed at Biodiversity Gain Plan statutory condition stage. |   |
| <b>ON-SITE SIGNIFICANT*</b> BNG is proposed<br>(If Y, please see later table)                                                                                                                                                    | Y |
| <b>OFF-SITE APPLICANT-OWNED BNG</b> is proposed<br>(ie. Land shown on plan within the “blue line” boundary and inserted in “offsite” tab of statutory metric)                                                                    | N |
| <b>PLEASE NOTE:</b> 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. |   |
| <b>OFF-SITE PURCHASE** of BNG</b>                                                                                                                                                                                                |   |
| BNG units purchase from a third party to achieve 10% BNG uplift                                                                                                                                                                  | N |
| Statutory biodiversity credits                                                                                                                                                                                                   | N |
| <b>PLEASE NOTE**:</b> 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:<br>*TYPE OF SIGNIFICANT ON-SITE HABITAT PROPOSED: (using the current government definition <sup>1</sup> ) |                                                                                    |                           |
|---------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|---------------------------|
| SIGNIFICANCE AS DEFINED IN PPG                                                                                                        | POST DEVELOPMENT HABITAT TYPE PROPOSED                                             | NUMBER OF UNITS           |
| Medium or High Distinctiveness                                                                                                        | Mixed scrub + Other Neutral Grassland + Urban Trees + Species Rich Native hedgerow | 2.18 + 5.86 + 1.34 + 2.48 |
| 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 |
|--------------------|-----------|
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<sup>1</sup> <https://www.gov.uk/guidance/make-on-site-biodiversity-gains-as-a-developer#significant-on-site-enhancements>

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| National Planning Policy Framework                                                                      | Paragraphs relevant to biodiversity, biodiversity net gain, ecological connectivity and protected species                                                                                                                                                                                                                                                                                                                                                                |
| Environment Act 2021                                                                                    | Mandatory Net Gain<br>Biodiversity Duty<br>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)<br>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.<br>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. |

