

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	26/00428/FUL
ADDRESS	Land Off Charity Close Desford Leicestershire
DESCRIPTION OF DEVELOPMENT	Full application for residential development of 83 dwellings with associated vehicular access, footpaths, public open space, landscaping and drainage infrastructure including pumpstation.
PLANNING CASE OFFICER	Sullevan Archer
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Michael McCoy
DATE OF COMMENTS	09 June 2026
ECOLOGICAL DOCUMENTS REVIEWED:	
• Ecological Appraisal (FPCR, Oct 2025) • Bat Report (FPCR, Oct 2025) • Biodiversity Net Gain Report - REV B (FPCR, May 2026) • BMG metric – REV B (FPCR, May 2026)	
SUMMARY RECOMMENDATION:	
No comment	
No objection (for recommended conditions or informatives- see below)	
Recommend Refusal	
Holding Objection - Further information required	✓
REASON FOR RECOMMENDATION:	
• In the ecological appraisal, it was stated that the habitat survey and breeding bird survey took place in April and June 2024 respectively. Is this a typo? If not, then an updated survey (addendum report) will be required in line with CIEEM: ON THE LIFESPAN OF ECOLOGICAL REPORTS & SURVEYS – 18 months to 3 years. • Further justification is needed to show how the bat surveys are still valid as the bat survey guidelines highlight that reports should clearly state how long it is likely to be valid. Bat surveys also occurred between 18 months to 3 years ago. • While justification has been provided on why the standard minimum of six breeding birds surveys were not followed, further information is needed on why only one survey was	

completed, instead of 2-3 surveys to ensure a good representation of the breeding bird population utilising the site was recorded.

- Further information needed on monitoring of potential badger sett – when is the monitoring to be proposed to be completed?
- Please can user comments be completed to show area size of habitats if parcels are combined (grassland and woodland) or alternatively separate parcels out and use habitat reference numbers.
- Please can the hedgerow number be placed in the BNG metric. Further clarification is also needed on why there are 12 entries in the metric when there are only 6 hedgerow/line of trees.
- Further information is also needed on why H3 and H4 are separated.
- Please can we be provided with photos of the on-site habitat as well as the aerial inspections.
- Further information is needed on the ditch, is this a dry ditch or wet ditch? Did the ditch meet the minimal mappable units? Why is the ditch included in the baseline map but not the metric?
- There is inconsistency on what which tree is T1 between PEA and BNG and bat reports. Please can this be consistent.
- For the condition assessment sheets, line of trees is put down as poor condition but is put down as moderate in the BNG metric. – please can this be amended.

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

- 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)
- No development shall take place (including ground works or vegetation clearance) until a Construction Environment Management Plan for biodiversity (CEMP: Biodiversity) has

been submitted to and approved in writing by the LPA. The CEMP shall include the following details: A. Identification of potentially damaging construction activities B. practical measures and sensitive working practices to avoid or reduce impacts during construction on badgers, Great Crested Newts and roosting bats C. timing of works to avoid harm to nesting birds D. responsible persons for overseeing sensitive works E. use of protective fencing where required The approved CEMP shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the LPA. • No development shall take place until a biodiversity enhancement scheme has been submitted to and approved in writing by the LPA. Enhancements shall include (but is not limited to) woodcrete/integrated bat boxes, woodcrete/integrated bird box, and hedgehog highways, the make/model and their locations. Any enhancement measures need to be shown on all relevant submitted plans. All works are to proceed strictly in accordance with the approved scheme. • Lighting Artificial lighting may lead to an increase in disturbance to bat foraging and commuting routes therefore, it is recommended a low impact lighting strategy will be adopted for the site. A detailed lighting scheme is recommended to be approved by a licensed bat ecologist following best practice guidelines outlined in Bats and Artificial Lighting at Night (ILP, 2023).
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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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)	N/A
Reason for proposing an earlier date if applicable (ie. degradation)	N/A
Description of Irreplaceable Habitat where present	N/A
<u>SMALL SITES METRIC ONLY:</u> "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
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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	N
Statutory biodiversity credits	N
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 definition ¹)		
SIGNIFICANCE AS DEFINED IN PPG	POST DEVELOPMENT HABITAT TYPE PROPOSED	NUMBER OF UNITS
Medium or High Distinctiveness	Other neutral grassland + mixed scrub + urban trees + Species-rich native hedgerow	2.08 + 2.26 + 0.31 + 1.49
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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¹ <https://www.gov.uk/guidance/make-on-site-biodiversity-gains-as-a-developer#significant-on-site-enhancements>

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.

