

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	24/01091/FUL
ADDRESS	84 Leicester Road Hinckley Leicestershire LE10 1LT
DESCRIPTION OF DEVELOPMENT	Erection of three dwellings
PLANNING CASE OFFICER	Sullivan Archer
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Michael McCoy
DATE OF COMMENTS	07/04/2025
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	✓
Condition recommended	✓
Informative recommended	
SUMMARY OF ECOLOGICAL DOCUMENTS CONSIDERED:	
<ul style="list-style-type: none"> • 'Biodiversity Statement' (CW Ecology, 2025) • 'Biodiversity Net gain metric' (CW Ecology, 2025) 	
REASON FOR RECOMMENDATION PROVIDED:	
<ul style="list-style-type: none"> • We have reviewed 'Site Plan Sections, Site Location Plan, Drg No.42 Rev B Plot 1 - Elevations, Floor Plans, Drg No.43 Plot 2,3 - Elevations, Visuals, Floor Plans, Drg No.44' (dci architecture Ltd, 2024) & 'Tree Report' (Hazell, 2024). • We find the biodiversity statement acceptable, however, we seek clarification regarding T1-T4, confirming the trees are not being removed as these are not mentioned in the report. If so, they should also be placed in the BNG metric. • See BNG comments below • As per the recommendations in the Biodiversity Statement, a Habitat Management and Monitoring Plan (HMMP) should be created. • As there are trees that are being retained on-site, a Construction and Environmental Management Plan (CEMP) should also be provided prior to commencement of work. 	
BIODIVERSITY NET GAIN (BNG) SPECIFIC COMMENTS:	
<ul style="list-style-type: none"> • Habitat units = -1.15BU (-58.75%) 	

<ul style="list-style-type: none"> Hedgerow units = 0BU (0%) No irreplaceable habitat Habitat degradation present and accounted for in metric. As the BNG metric shows that a net loss with habitat units, these will need to be compensated for, either by creating/enhancing off-site habitat or by purchasing habitat bank/credits.
FURTHER INFORMATION REQUIRED:
<ul style="list-style-type: none"> Information on T1-T4, whether they are being retained.
AMENDMENTS RECOMMENDED:
<ul style="list-style-type: none"> N/A
RECOMMENDED CONDITIONS TO BE APPLIED:
<ul style="list-style-type: none"> 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"> 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: <ul style="list-style-type: none"> A. Identification of potentially damaging construction activities B. practical measures and sensitive working practices to avoid or reduce impacts during construction on reptiles C. timing of works to avoid harm to nesting birds D. responsible persons for overseeing sensitive works E. use of protective fencing where required, particularly to buffer Root Protection zones of retained trees. The approved CEMP shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the LPA.
RECOMMENDED INFORMATIVES TO BE APPLIED:
<ul style="list-style-type: none"> N/A
RECOMMENDED SECTION 106 REQUIREMENT (standard clause, contribution amount, trigger for payment)
<ul style="list-style-type: none"> N/A

DISCHARGE OF CONDITIONS ONLY:

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

- N/A

Note for applicants: Please be aware that this specialist advice is provided to the Local Planning Authority through a Service Level Agreement between the Local Planning Authority and Leicestershire County Council.

If you have any queries about this advice, 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 as part of this service.

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.

