

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990 (as amended) Discharge of Conditions

Name and Address of Applicant

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Name and Address of Agent (if any)

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Part I – Particulars of Application

Planning Reference 25/00680/DISCON

Application Site Land north and south of Lychgate Lane, Burbage, Leicestershire

Proposal Application to discharge C7 (LEMP), C8 (Hard and Soft Landscaping), and C9 (BNG) attached to planning permission 22/00739/FUL

Part II – Summary of Decision

The details submitted with the following conditions are **ACCEPTABLE**, subject to all works being carried out strictly in accordance with the full terms of the conditions:

Condition 07 (Landscape and Ecological Management Plan) (LEMP)

Condition 08 (Hard and Soft Landscaping Scheme)

Condition 09 (Biodiversity Management Plan)

Part III – Particulars of Decision

Information that the Developer provided to the Local Planning Authority:

- C7 Landscape and Ecology Management Plan (submitted: 11.07.2025)
- C8 Detailed Design (9103 P02) (submitted: 11.07.2025)
- C8 Detailed Design (9104 P02) (submitted: 11.07.2025)
- C8 Landscape Strategy (9101 P02) (submitted: 11.07.2025)

- C8 Landscape Strategy (9102 P02) (submitted: 11.07.2025)
- C8 Plant Schedule (submitted: 11.07.2025)
- C9 Biodiversity Management Plan (submitted: 11.07.2025)

Condition 07 (Landscape and Ecological Management Plan) (LEMP)

“No development shall take place (including ground works or vegetation clearance) until a Landscape and Ecological Management Plan (LEMP) covering the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following details:

- i. Description and evaluation of the features to be created/managed;*
- ii. Aims and objectives of management;*
- iii. Appropriate management options for achieving aims and objectives;*
- iv. Prescriptions for management options;*
- v. Work schedule;*
- vi. Species/seed mixes to be planted/sown; and*
- vii. Ongoing monitoring and remedial measures.*

The development shall be implemented in accordance with the approved LEMP.”

This information has been assessed by Leicestershire County Council's Ecology Department. The Ecology Department supported the aftercare measures included within the LEMP and welcomed the inclusion of an annual works plan and an ongoing monitoring strategy. Based on the submitted details, Leicestershire County Council recommended the full discharge of planning condition 07 of planning permission 22/00739/FUL.

Therefore, the submitted details are considered to ensure the protection of wildlife and supporting habitats, to secure biodiversity net gain and opportunities for the enhancement of the application site's nature conservation value in accordance with Policies ENV3, ENV7, and ENV9 of the Burbage Neighbourhood Plan (2021), Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016), and the National Planning Policy Framework (2024).

The details submitted are ACCEPTABLE, subject to all works being carried out strictly in accordance with the full terms of the condition.

Condition 08 (Hard and Soft Landscaping Scheme)

“Prior to the commencement of development, a detailed scheme for the soft and hard landscaping of the site shall be submitted to and agreed in writing by the Local Planning Authority. This scheme shall include details of:

- i. any existing trees, shrubs, hedges, water bodies to be retained and measures of protection during the course of the development;*
- ii. new tree and shrub planting, including their species, size, quantities and locations;*
- iii. grass and meadow seeded areas and written specifications for their establishment;*

- iv. *other surface treatments;*
- v. *any changes in levels or contours; and*
- vi. *the position of any cabling, service and/or drainage runs (which may affect tree and hedgerow roots)*

The development shall be implemented in accordance with the approved Scheme. The approved landscaping scheme shall be completed within the first planting season following first export of electricity from the site.”

This information has been assessed by Leicestershire County Council’s Ecology Department and the Leicestershire County Council as the Local Highway Authority.

The Local Highway Authority did not object to the discharge of condition 08 of planning permission 22/00739/FUL.

The Ecology Department supported the planting specifications and schedules outlined within the Landscape Strategy, which include appropriate local species as well as a suitable seed mixture to create other neutral grassland adjacent to the panels. Based on the submitted details, Leicestershire County Council recommended the full discharge of planning condition 08 of planning permission 22/00739/FUL. The submitted details are therefore considered to ensure good design and protect the rural character of the area in accordance with Policies DM4 and DM9 of the Site Allocations and Development Management Policies Development Plan Document (2016).

The details submitted are ACCEPTABLE, subject to all works being carried out strictly in accordance with the full terms of the condition.

Condition 09 (Biodiversity Management Plan)

“Prior to the commencement of development, a Biodiversity Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be based on the DEFRA Biodiversity Net Gain Metric completed for the development and the accompanying Biodiversity Gain Assessment Report (ref P18-480) completed by BSG Ecology and be consistent with the Landscape and Ecological Management Plan (LEMP) submitted in respect of condition 7. The Plan shall include:

- i. *measures to achieve the biodiversity net gains detailed in the metric;*
- ii. *a timetable for the implementation of the measures;*
- iii. *a management and monitoring plan for how biodiversity net gain will be secured during the lifetime of the development, including a timetable for monitoring surveys; a strategy for identifying and undertaking any remedial measures required; and submission of monitoring surveys to the Local Planning Authority for approval.*

The approved details shall be adhered to for the lifetime of the development.”

This information has been assessed by Leicestershire County Council’s Ecology Department. The Ecology Department supported the details within the Biodiversity Management Plan, which includes clear Biodiversity Net Gain condition targets and an appropriate approach to

achieve the stated condition targets, as well as an appropriate risk register and adaptive management measure to ensure that the condition targets are met. Based on the submitted details, Leicestershire County Council recommended the discharge of planning condition 09 of planning permission 22/00739/FUL.

However, Paragraph 8.1.11 of the Biodiversity Management Plan states that, *“Monitoring reports will be made available to the LPA.”* This is considered insufficient to meet the necessary requirements of Part III of planning condition 09 of planning permission 22/00739/FUL, which specifically requires all ongoing monitoring reports to be submitted to the Local Planning Authority for approval.

Therefore, the submitted details are considered to ensure the protection of wildlife and supporting habitats, to secure biodiversity net gain and opportunities for the enhancement of the application site’s nature conservation value in accordance with Policies ENV3, ENV7, ENV8, and ENV9 of the Burbage Neighbourhood Plan (2021), Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016), and the National Planning Policy Framework (2024), subject to the ongoing monitoring reports being submitted in writing to the Local Planning Authority for approval in accordance with the requirements of planning condition 09 of planning permission 22/00739/FUL.

The details submitted are ACCEPTABLE, subject to the ongoing monitoring reports being submitted in writing to the Local Planning Authority for approval and to all works being carried out strictly in accordance with the full terms of the condition.

Date: 5 September 2025

A handwritten signature in blue ink that reads "C. Brown".

Christopher Brown MRTPI
Head of Planning