

**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>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 25/01213/OUT                                                                                                                                                                                                                                                                                                                                 |
| <b>ADDRESS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Land South Of Sacheverell Way Groby Leicestershire                                                                                                                                                                                                                                                                                           |
| <b>DESCRIPTION OF DEVELOPMENT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Outline planning application for a residential development of up to 180 dwellings, alongside associated access via two junctions from Sacheverell Way, green and blue infrastructure (including drainage, landscaping and public open space), ancillary infrastructure, and enabling ground remodelling (All matters reserved except access) |
| <b>PLANNING CASE OFFICER</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Ashleigh Gade                                                                                                                                                                                                                                                                                                                                |
| <b>DEPARTMENT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Ecology                                                                                                                                                                                                                                                                                                                                      |
| <b>PLANNING ECOLOGY OFFICER</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Michael McCoy                                                                                                                                                                                                                                                                                                                                |
| <b>DATE OF COMMENTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 11 March 2026                                                                                                                                                                                                                                                                                                                                |
| <b>ECOLOGICAL DOCUMENTS REVIEWED:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                              |
| <ul style="list-style-type: none"> <li>• Preliminary Ecological Appraisal (FPCR, Dec 2025)</li> <li>• Technical Note: Skylark Impact &amp; Mitigation (FPCR, 2025)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                              |
| <b>SUMMARY RECOMMENDATION:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                              |
| No comment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                              |
| No objection (for recommended conditions or informatives- see below)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                              |
| Recommend Refusal                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                              |
| Holding Objection - Further information required                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | ✓                                                                                                                                                                                                                                                                                                                                            |
| <b>REASON FOR RECOMMENDATION:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                              |
| <ul style="list-style-type: none"> <li>• We have reviewed the above documents and require further information.</li> <li>• As only two male skylarks were recorded on site during the breeding bird visits with suitable surrounding habitat present offsite, further mitigation would be disproportionate.</li> <li>• As pre the previous ecology comments: <i>"Hedgerow numbers need included in the metric. Also, please can the 5 hedgerows be separated out into individual cells in the BNG metric for clarity"</i>.</li> <li>• Please can the River Corridor assessment sheets be submitted for review.</li> </ul> |                                                                                                                                                                                                                                                                                                                                              |

- Further clarification needed on the on-site ditch as the report states it is both a wet and dry ditch.
- While this point is a post-development matter – at the gain plan stage the further information is needed on post-development hedgerow creation as this tab is missing in the current metric submitted.
- It should also be noted that while the urban trees fall within the LNRS ACB Urban mapped measures, the site is not situated within the ACB grassland Mapped measures, therefore, the other neutral grassland and mixed scrub strategic significance will need changed at the biodiversity gain plan stage to low strategic significance

**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 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 [Ratby flood meadow cLWS & retained habitat]

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 (including ground works or vegetation clearance) until an updated badger survey has been submitted to and approved in writing by the Local Planning Authority. This survey is to be carried out within 3 months of the commencement of works on site, unless otherwise agreed. The survey shall include

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| <p>details on mitigation measures for badgers if necessary (such as badger gates). All works are to proceed strictly in accordance with the approved document.</p> <ul style="list-style-type: none"> <li>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 boxes, hedgehog holes in closed board fencing, 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.</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   |

| <b>POST DEVELOPMENT PROPOSALS FOR BIODIVERSITY NET GAIN (BNG)</b>                                                                                                                                                                |   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| <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 |

**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 | Y/N |
|-----------------------------------------------------------------|-----|

|                                |     |
|--------------------------------|-----|
| Statutory biodiversity credits | Y/N |
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**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<sup>1</sup>)

| SIGNIFICANCE AS DEFINED IN PPG                             | POST DEVELOPMENT HABITAT TYPE PROPOSED                        | NUMBER OF UNITS                         |
|------------------------------------------------------------|---------------------------------------------------------------|-----------------------------------------|
| Medium or High Distinctiveness                             | Other Neutral Grassland + mixed Scrub + Urban trees + Ditches | 8.08 + 7.20 + 3.84 + 1.15 + 0.37 + 1.36 |
| Large number of units at Low Distinctiveness               | N/A                                                           |                                         |
| Significant increase in Distinctiveness, Condition or Area | Mixed scrub                                                   | 1.22                                    |

**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                                                   |
| 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)                              |

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

|                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| <p>Various International, European and National laws in relation to the protection of species and habitats</p> | <p>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.</p> <p>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.</p> |
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