

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	25/01143/REM
ADDRESS	Land North Of Normandy Way Hinckley Leicestershire
DESCRIPTION OF DEVELOPMENT	Application for Reserved Matters (site layout, scale, appearance, and landscaping) of outline planning application 24/00264/OUT for 415 dwellings with associated internal road layout, car parking, drainage, and landscaping. Discharge of Outline Planning Conditions 2 (Reserved Matters); 4 (Finished Floor Levels); 6 (Materials); 9 (Tree Retention and Protection); 12 (CEMP); 13 (CTMP); 14 (Lighting); 16 (Waste Storage); 17 (Surface Water Drainage); 18 (Surface Water Management); 19 (Surface Water Maintenance); 20 (Infiltration Testing); 21 (Noise); 22 (Cycle Storage); and, 30 (Hedgerow Improvements).
PLANNING CASE OFFICER	Emma Baumber
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Sue Hooton
DATE OF COMMENTS	4 February 2026
ECOLOGICAL DOCUMENTS REVIEWED:	
• Biodiversity Net Gain Report (FPCR, December 2025) • Biodiversity Net Gain Plan (Zebra, January 2024) • Preliminary Ecological Appraisal (Zebra, July 2023) • Infrastructure Landscape Proposals for Phase 2 (golby + luck, October 2025)	
SUMMARY RECOMMENDATION:	
No comment	☐
No objection (for recommended conditions or informatives- see below)	☐
Recommend Refusal	☐
Holding Objection - Further information required	☒
REASON FOR RECOMMENDATION:	
We have reviewed the submitted documents above to support development that is in accordance with the requirements set out in the decision notice for outline consent under 25/00264/OUT and deliver mandatory Biodiversity Net Gains.	

Reserved matters:

We note that no documents have been submitted to inform this REM application - as well as support future discharge of ecology conditions of 25/00264/OUT – Condition 27 (Badger update survey), Condition 28 (Construction Environment Management Plan (Biodiversity) and condition 29 (Landscape and Ecological Management Plan -LEMP).

We note that the BNG Report and BNG Plan documents have been submitted but this application does not seek to discharge of Biodiversity Gain Plan attached to the outline consent relating to confirmation of mandatory biodiversity net gains.

Discharge of conditions 14 (Lighting) and 30 (Hedgerow Improvements):

- No plans or details are available for review to support discharge of condition 14.
- Although infrastructure landscape proposals have been submitted, these do not confirm details of adding 12 native trees to Hedge 20 as required by Condition 30 (hedgerow improvements)

We are not satisfied that there is sufficient ecological information available for determination of this REM and discharge of conditions application. The reasons for this are outlined below:

Protected species (Badger)

No documents supporting discharge of Condition 27 (Badger update survey) have been submitted to inform the need for mitigation measures to be embedded into the layout if the development.

To fully assess the impacts of the proposal the LPA needs details of Badger update survey results. This was secured at outline stage and is required prior to a decision on this reserved matters application, and to inform details of mitigation to be included in the Construction Environment Management Plan (Biodiversity) required by condition 28.

This information is therefore required to provide the LPA with certainty of likely impacts on legally protected species. This will enable the LPA to demonstrate compliance with its statutory duties, including Protection of Badgers Act 1992 and prevent wildlife crime under s17 Crime and Disorder Act 1998.

Hedgerow improvements and wildlife sensitive lighting

Additionally additional information on hedgerow improvement and lighting needs to be provided for review to support discharge of conditions 14 and 30.

We look forward to working with the LPA and the applicant to receive the additional information required to support a lawful decision and overcome our holding objection.

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

N/A

ANY RECOMMENDED INFORMATIVES TO BE APPLIED:

N/A

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	Choose an item.
Pre-development Habitat Plan of existing onsite habitat (to scale)	Choose an item.
Pre-development Habitat Value (on date of application or earlier)	Choose an item.
Completed Metric Calculation Tool	Choose an item.
Statement of Habitat Degradation where present (with dates and details)	Choose an item.
Reason for proposing an earlier date if applicable (ie. degradation)	Choose an item.
Description of Irreplaceable Habitat where present	Choose an item.
SMALL SITES METRIC ONLY: "Competent person" information (ie. qualifications, skills, experience)	Choose an item.
BNG METRIC INFORMATION missing or incorrect:	
Incomplete or incorrect cells are shown in metric (eg. habitat quantity, type or condition, strategic significance)	Choose an item.

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)	Choose an item.
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)	Choose an item.
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	Choose an item.
Statutory biodiversity credits	Choose an item.
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 definition¹)		
SIGNIFICANCE AS DEFINED IN PPG	POST DEVELOPMENT HABITAT TYPE PROPOSED	NUMBER OF UNITS
Medium or High Distinctiveness		
Large number of units at Low Distinctiveness		
Significant increase in Distinctiveness, Condition or Area		

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 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.

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