

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley & Bosworth Borough Council
APPLICATION NUMBER	26/00113/REM
ADDRESS	Land West Of Workhouse Lane Burbage Leicestershire
DESCRIPTION OF DEVELOPMENT	Application for the approval of Reserved matters (Layout, Scale, Appearance, Landscaping) of outline planning permission 20/01012/OUT for residential development of up to 40 dwellings
PLANNING CASE OFFICER	Alex Jelley
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Lottie Green
DATE OF COMMENTS	21/05/2026
ECOLOGICAL DOCUMENTS REVIEWED:	
• Preliminary Ecological Appraisal (PEA) (Arbtech, October 2025) • Illustrative Landscape Masterplan (Pegasus Group, January 2026) • Detailed Soft Landscaping Plan (Pegasus Group, April 2026) •	
SUMMARY RECOMMENDATION:	
No comment	
No objection (for recommended conditions or informatives- see below)	
Recommend Refusal	
Holding Objection - Further information required	✓
REASON FOR RECOMMENDATION:	
• After conversing with the case officer, it has been confirmed that the development was approved for planning permission in 2023 and therefore, the development is exempt from mandatory BNG requirements. My prior comments in regard to BNG and an HMMP have been removed. • The PEA (Arbtech, October 2025) has been reviewed, and it has been noted that Local Environmental Records Centre (LERC) data has not been included as part of the report and only open access data has been used. The CIEEM Guidelines for Preliminary Ecological Appraisal (December, 20217) state that LERC data should be included within PEAs. Due to the scale and nature of the site, it is important that the LERC data is accessed and included within the report to assess the full ecological value of the site.	

- The Leicestershire and Rutland LERC data returned several records of bats within 2km, including for the barns adjacent to the site, and to the southeast corner of the field. This should be included within the PEA and necessary surveys or mitigation outlined for potential bat roosts.
- Additionally, the PEA (Arbtech, October 2025) stated that there are only two trees onsite, whereas the Illustrative Landscape Masterplan (Pegasus Group, January 2026) records nine trees onsite, as being retained. Implying not all the trees onsite were assessed during the PEA and important habitats and Potential Roosting Features (PRFs) could have been missed.
- The Illustrative Landscape Masterplan (Pegasus Group, January 2026) and Detailed Soft Landscaping Plan (Pegasus Group, April 2026) have been reviewed, the trees, hedges and spring retained onsite are welcomed, as well as the proposed planting of trees, hedges and a wildflower meadow. An informative regarding the planting of native species has been added below.

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

PEA:

- The development hereby approved shall be implemented in strict accordance with the measures stated in the Preliminary Ecological Appraisal (PEA) (Arbtech, October 2025) unless otherwise agreed in writing by the Local Planning Authority. This includes protected species surveys, District Level Licencing, mitigations (including lighting plan) and enhancements.
- *Reason: to ensure that protected species and habitats are taken into consideration according to legislation under the Habitats and Species Regulations (2017) and the Wildlife and Countryside Act (1981) and their amendments.*

Biodiversity Enhancement Scheme:

- No development shall take place until a Biodiversity Enhancement Scheme has been submitted to and approved in writing by the Local Planning Authority. Enhancements shall include (but is not limited to) a minimum of six bird boxes on mature trees around the site boundaries or on new buildings, six bat boxes to be incorporated into the fabric of the new dwellings and the installation of hedgehog houses and gaps under boundary fencing 'hedgehog highways' as recommend in the PEA (Arbtech, October 2025). As well as details of native planting and confirmation that none of the trees or hedges indicated to be retained shall be cut down, uprooted or destroyed, nor shall be topped or lopped other than in accordance with the approved plans, without the written approval of the Local Planning Authority. Any enhancement measures need to be shown on all relevant submitted plans. All works are to proceed strictly in accordance with the approved scheme unless otherwise agreed in writing by the LPA.
- *Reason: to ensure that protected species and habitats are taken into consideration according to legislation under the Habitats and Species Regulations (2017) and the Wildlife and Countryside Act (1981) and their amendments.*

LEMP:

- No development shall take place (including ground works or vegetation clearance) until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following details:
 - A. description and evaluation of the features to be created/enhanced
 - B. aims and objectives of management
 - C. appropriate management options for achieving aims and objectives
 - D. prescriptions for management actions

E. work schedule F. species/seed mixes to be planted/sown G. ongoing monitoring and remedial measures • The approved plan will be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority. • <i>Reason: to ensure that protected species and habitats are taken into consideration according to legislation under the Habitats and Species Regulations (2017) and the Wildlife and Countryside Act (1981) and their amendments.</i> CEMP: • Construction Environment Management Plan for biodiversity (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. 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 the species and habitat outlined in the PEA (Arbtech, October 2025) 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 Local Planning Authority. • <i>Reason: to ensure that protected species and habitats are taken into consideration according to legislation under the Habitats and Species Regulations (2017) and the Wildlife and Countryside Act (1981) and their amendments.</i>
ANY RECOMMENDED INFORMATIVES TO BE APPLIED:
• All new planting should be composed of native species where possible. Recommended hedging species mix: 80% hawthorn (<i>Crataegus monogyna</i>), plus any one or more of the following: field maple (<i>Acer campestre</i>), dogwood (<i>Cornus sanguinea</i>), dog rose (<i>Rosa canina</i>) and holly (<i>Ilex aquifolium</i>).

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.