

**CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:**

**ECOLOGY AND BIODIVERSITY PLANNING ADVICE**

**Revised comments 2**

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| <b>COUNTY, DISTRICT OR BOROUGH</b>                                                                                                                                                                                                                                                                                                                  | Hinckley and Bosworth Borough Council                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |
| <b>APPLICATION NUMBER</b>                                                                                                                                                                                                                                                                                                                           | 25/01143/REM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
| <b>ADDRESS</b>                                                                                                                                                                                                                                                                                                                                      | Land North Of Normandy Way Hinckley Leicestershire                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |
| <b>DESCRIPTION OF DEVELOPMENT</b>                                                                                                                                                                                                                                                                                                                   | 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). |  |
| <b>PLANNING CASE OFFICER</b>                                                                                                                                                                                                                                                                                                                        | Alex Jelley                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
|                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |
| <b>DEPARTMENT</b>                                                                                                                                                                                                                                                                                                                                   | Ecology                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |
| <b>PLANNING ECOLOGY OFFICER</b>                                                                                                                                                                                                                                                                                                                     | Sue Hooton                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| <b>DATE OF COMMENTS</b>                                                                                                                                                                                                                                                                                                                             | 26 March 2026                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| <b>ECOLOGICAL DOCUMENTS REVIEWED:</b>                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |
| <ul style="list-style-type: none"> <li>• Construction Environment Management Plan Rev A (Barratt Homes, March 2026)</li> <li>• Infrastructure Landscape Proposals for Phase 2 Rev A (golby + luck, March 2026)</li> <li>• Biodiversity Net Gain Report (FPCR, December 2025)</li> <li>• Biodiversity Net Gain Plan (Zebra, January 2024)</li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |
| <b>SUMMARY RECOMMENDATION:</b>                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |
| <b>No comment</b>                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |
| <b>No objection (for recommended conditions or informatives- see below)</b>                                                                                                                                                                                                                                                                         | <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |
| <b>Recommend Refusal</b>                                                                                                                                                                                                                                                                                                                            | <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |
| <b>Holding Objection - Further information required on Infrastructure Landscape Proposals and Condition 29 (LEMP)</b>                                                                                                                                                                                                                               | <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
| <b>REASON FOR RECOMMENDATION:</b>                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |

Further to our ecology comments dated 12 March 2026, we have now reviewed the documents recently submitted by the applicant. These relate to the likely impacts of development on protected species and habitats to be retained and to meet the conditions secured at outline consent 25/00264/OUT which have been added to the development description.

We highlight that the numbering has not been amended so for avoidance of doubt, the CEMP: Biodiversity is condition 28 and the LEMP is condition 29. However, the CEMP now refers to the Badger update survey which was undertaken in February 2026 as secured by Condition 27. We consider that the report should be available to support discharge of that condition if submitted to the LPA for approval.

We are still not satisfied that there is sufficient ecological information available for approval of this Reserved matters application as the infrastructure landscape proposals for Phase 2 require further revision to be sufficient to be approved document.

Once amended in line with comments below on discharge of condition 30, there should be no conflict with ecology conditions being capable of being discharged in the future.

We also provide updated comments on discharge of conditions 28 and 29 alongside the application for approval of Phase 2 Reserved Matters.

**Discharge of conditions:**

Condition 28 (CEMP Biodiversity): We welcome the updated CEMP (Barratt Homes, March 2026) which now includes an ecology section 9. As outline above, this Rev A version has now been informed by the further badger survey required by Condition 27. We are now satisfied that this CEMP is sufficient to support lawful approval of this REM application and discharge condition 28 (CEMP Biodiversity).

Condition 29 (LEMP): The BNG report (FPCR, Dec 2025) refers to the Landscape and Ecological Management Plan (LEMP) being submitted to support this planning application which provides detailed management prescriptions for habitats on site which are needed to support delivery of BNG. We have not been able to review this document as it does not appear to have been submitted to inform condition 29 (Landscape and Ecological Management Plan-LEMP).

We are therefore still not satisfied that there is sufficient ecological information available for determination of this discharge of condition. We request that the LEMP is provided for review ASAP to reassure the LPA that it supports appropriate long term management to deliver the promised BNG, including the hedgerow improvement secured by condition 30 of the outline consent.

**Hedgerow improvements and wildlife sensitive lighting**

We welcome the updated infrastructure landscape proposals for Phase 2 (Rev A, March 2026) which confirms retention of Hedge 20 by Nos. 4 & 5 Ashby Grange. However, this drawing still does not include the addition of 12 native trees which are needed to meet the requirements of Condition 30 (hedgerow improvements). The Rev A drawing does indicate one section of native hedgerow being planted to fill in a gap but does not fulfil the proposed enhancement in the BNG report v4 (Zebra Ecology, January 2024). This is necessary to deliver an enhanced biodiversity value from native hedgerow to native species-rich hedgerow with trees as set out on the Biodiversity Net Gain Post-Development Plan (Appendix A) and the Illustrative Landscape Masterplan Rev B (Zebra Landscape Architects, Dec 2023) and secured by condition 30.

We therefore highlight that further information on hedgerow improvement and lighting will need to be provided for review to support discharge of condition 30 and 14 as part of a future Discharge of condition application, as well as condition 29 (LEMP) under this application.

**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. |
| <b><u>SMALL SITES METRIC ONLY:</u></b> "Competent person" information (ie. qualifications, skills, experience)      | Choose an item. |
| <b>BNG METRIC INFORMATION missing or incorrect:</b>                                                                 |                 |
| 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.

|                                                                                                                                                                      |                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| <b><u>ON-SITE SIGNIFICANT*</u></b> BNG is proposed<br>(If Y, please see later table)                                                                                 | Choose an item. |
| <b><u>OFF-SITE APPLICANT-OWNED</u></b> BNG is proposed<br>(ie. Land shown on plan within the "blue line" boundary and inserted in "offsite" tab of statutory metric) | Choose an item. |

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|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| <b>PLEASE NOTE:</b> 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. |                 |
| <b>OFF-SITE PURCHASE** of BNG</b>                                                                                                                                                                                                |                 |
| BNG units purchase from a third party to achieve 10% BNG uplift                                                                                                                                                                  | Choose an item. |
| Statutory biodiversity credits                                                                                                                                                                                                   | Choose an item. |
| <b>PLEASE NOTE**:</b> 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. |                 |

| <b>POST DEVELOPMENT PROPOSALS:</b><br><b>*TYPE OF SIGNIFICANT ON-SITE HABITAT PROPOSED:</b> (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                                                                                                                      |                                        |                 |
| 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<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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