

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley & Bosworth Borough Council
APPLICATION NUMBER	26/00319/OUT
ADDRESS	Land Adjacent Colwyn Main Street Botcheston Leicestershire
DESCRIPTION OF DEVELOPMENT	Outline planning application for 26 new dwellings with all matters reserved
PLANNING CASE OFFICER	Joe Fleetwood
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Fiona Davis
DATE OF COMMENTS	30/06/2026
ECOLOGICAL DOCUMENTS REVIEWED:	
Application Form (04/2026) Biodiversity Net Gain Assessment (Collington Winter Environmental Ltd, May 2026) BNG Metric (Collington Winter Environmental Ltd, May 2026)	
SUMMARY RECOMMENDATION:	
No comment	
No objection (for recommended conditions or informatives- see below)	
Recommend Refusal	
Holding Objection - Further information required	✓
REASON FOR RECOMMENDATION:	
Preliminary Ecological Appraisal (PEA): A Preliminary Ecological Appraisal (PEA) is required to provide details of the potential impacts of the development. The habitats on site and adjacent to the site may have the potential to support protected or notable species and further surveys may be required. Therefore, this information is required prior to determination. There are records of protected species, including bats and designated sites (Site of Special Scientific Interest) within 1km of the site. Biodiversity Net Gain (BNG): It was not possible to review the BNG Metric due to the report not being in a readable format as the table was separated into multiple pages. Please can this be resubmitted. Based on the proposed habitat creation measures, the development will result in a net loss of - 61.55% (equivalent to 2.96 habitat units). The BNG assessment indicates that the application is unable to achieve the required 10% BNG.	

BNG needs to be provided, either through onsite or offsite BNG or through the purchase of habitat units or government statutory credits.

If BNG is being provided on applicant-owned land, and is either off-site or on-site significant, this BNG land needs to be secured and managed for a term of 30 years.

If this is being secured through a Section 106 agreement with the determining authority, this will also need to be monitored for compliance during this 30-year term and a fee will be charged by the determining authority for this, through an appropriate clause in the Section 106 agreement against the current Charging Schedule.

Biodiversity Gain Plan and Habitat Management and Monitoring Plan:

Prior to commencement of works, a Biodiversity Gain Plan must be submitted, along with a Habitat Management and Monitoring Plan (HMMP) detailing how net gain will be achieved and secured and monitored for a period of 30 years.

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

Pre-Commencement HMMP

No development shall take place (including ground works or vegetation clearance) until a Habitat Management and Monitoring Plan (HMMP) has been submitted to and approved in writing by the Local Planning Authority.

The approved HMMP shall be adhered to and implemented, unless otherwise agreed in writing by the Local Planning Authority.

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.

Construction and Environmental Management Plan (CEMP):

No development shall take place (including ground works or vegetation clearance) until a CEMP for Biodiversity has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:

- Identification of potentially damaging construction activities;
- Practical measures and sensitive working practices to avoid or reduce impacts during construction on protected species identified within the PEA;
- Any mitigation and compensation measures identified within section 5 of the PEA;
- Responsible persons for overseeing sensitive works;
- Use of protective fencing where required;
- Sensitive design and installation of lighting should be implemented for during and post works.

The approved CEMP shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the Local Planning Authority.

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.

ANY RECOMMENDED INFORMATIVES TO BE APPLIED:

- None at this stage.

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	Y
Pre-development Habitat Plan of existing onsite habitat (to scale)	Y
Pre-development Habitat Value (on date of application or earlier)	Y

Completed Metric Calculation Tool	TBC
Statement of Habitat Degradation where present (with dates and details)	N/A
Reason for proposing an earlier date if applicable (ie. degradation)	N/A
Description of Irreplaceable Habitat where present	N/A
SMALL SITES METRIC ONLY: "Competent person" information (ie. qualifications, skills, experience)	N/A
BNG METRIC INFORMATION missing or incorrect:	
Incomplete or incorrect cells are shown in metric (eg. habitat quantity, type or condition, strategic significance)	TBC

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)	TBC
OFF-SITE APPLICANT-OWNED BNG is proposed (i.e. Land shown on plan within the "blue line" boundary and inserted in "offsite" tab of statutory metric)	TBC
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	TBC
Statutory biodiversity credits	TBC
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 ¹)		
SIGNIFICANCE AS DEFINED IN PPG	POST DEVELOPMENT HABITAT TYPE PROPOSED	NUMBER OF UNITS
Medium or High Distinctiveness	N/A	N/A
Large number of units at Low Distinctiveness	N/A	N/A
Significant increase in Distinctiveness, Condition or Area	N/A	N/A

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.

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

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.