

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	26/00358/DISCON
ADDRESS	Pinehollow Barn Stoke Lane Higham On The Hill Nuneaton
DESCRIPTION OF DEVELOPMENT	Application to discharge C6 (HMMP) C7 (Biodiversity Enhancement Plan) attached to planning permission 25/00902/FUL
PLANNING CASE OFFICER	Sullivan Archer
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Olivia Larter
DATE OF COMMENTS	18 May 2026
ECOLOGICAL DOCUMENTS REVIEWED:	
• Habitat Management and Monitoring Plan (Oak Ecology, February 2026) • Biodiversity Enhancement Plan (Four Counties Architecture, April 2026)	
SUMMARY RECOMMENDATION:	
No comment	☐
Part Discharge of Condition	☐
Full Discharge of Condition	☐
Further information required • Condition 6 • Condition 7	☒
REASON FOR RECOMMENDATION:	
<u>Conditions</u> Condition 6: Further Information Required <i>"Prior to the stationing of more than two caravans on the site, a Habitat Management and Monitoring Plan (HMMP) for significant on-site enhancements, prepared in accordance with the approved Biodiversity Gain Plan, shall be submitted to, and approved in writing by, the Local Planning Authority. The HMMP shall be submitted concurrently and in accordance with the Biodiversity Gain Plan. The HMMP shall include, but shall not be limited to, the following details:</i> <i>a) a non-technical summary; and</i> <i>b) the roles and responsibilities of the people or organisation(s) delivering the HMMP; and</i> <i>c) the planned habitat creation and enhancement works to create or improve habitat to achieve the on-site significant enhancements in accordance with the approved Biodiversity Gain Plan; and</i>	

- d) *the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and*
- e) *the monitoring methodology in respect of the created or enhanced habitat to be submitted to the local planning authority; and*
- f) *details of the content of monitoring reports to be submitted to the Local Planning Authority including details of adaptive management which will be undertaken to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.*

Notice in writing shall be given to the Council when the:

- i. *Initial enhancements, as set in the HMMP, have been implemented; and*
- ii. *Habitat creation and enhancement works, as set out in the HMMP, have been completed after 30 years.*

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Monitoring reports shall be submitted in years 1, 2, 5, 10, 15, 20, 25, and 30 to the Local Planning Authority, in accordance with the methodology specified in the approved HMMP.

The Council shall only issue approval of habitat creation and enhancement works when:

- *the habitat creation and enhancement works set out in the approved HMMP have been completed; and*
- *a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by, the Local Planning Authority."*

Reason: To enhance protected and priority species and habitats in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 7: Further Information Required

"Prior to the stationing of more than two caravans on the site, a Biodiversity Enhancement Layout, including any proposed hard and soft landscaping works for the site, shall be submitted to, and approved in writing by, the Local Planning Authority. The content of the Biodiversity Enhancement Layout shall include the following:

- a) *Detailed designs or production description for biodiversity enhancements; and*
- b) *Locations, orientations and heights for biodiversity enhancements on appropriate drawings.*

The development shall be carried out in full accordance with the approved enhancement measures, and any planting shall be undertaken in the first planting and seasons following the stationing of more than two caravans on site. All features shall be retained thereafter in accordance with the Habitat Management and Monitoring Plan within Condition 4 of this permission."

Reason: In order to protect the protected wildlife species and their habitats that are known to exist on site to accord with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and Section 40 of the NERC Act 2006 (as amended).

Comments

Condition 6:

We have reviewed the Habitat Management and Monitoring Plan (Oak Ecology, February 2026) which has been submitted in order to discharge Condition 6.

We are not satisfied that the submitted information includes the detail required by this condition.

The only significant onsite enhancement previously identified was 0.02 habitat units for individual trees. It is up to the Local Planning Authority to determine whether significant onsite enhancements are present within the site. Where present, monitoring would only be required for significant onsite enhancements and therefore the HMMP may need to be updated accordingly.

The monitoring intervals and submission of monitoring reports are also not aligned with those required as part of the condition. The condition wording states that “monitoring reports shall be submitted in years 1, 2, 5, 10, 15, 20, 25, and 30 to the Local Planning Authority”, however the submitted HMMP states that monitoring reports will be submitted in years 1, 2, 3, 4, 5, 7, 10, 15, 20, and 30. Therefore, the monitoring intervals should be amended.

In addition, the species of the proposed individual tree species have not been specified. It is proposed that the two new trees will meet condition criterion A which requires trees to be native species. Therefore, species should be specified to ensure that moderate condition is achievable.

It is also highlighted that the baseline and proposed trees are included within the Metric and HMMP as ‘rural tree’. With consideration of their urban setting, these should be classified as ‘urban tree’.

The HMMP condition must be discharged concurrently with the Biodiversity Gain Condition. As a result, we note that a discharge of condition application has been submitted for the Biodiversity Gain condition, reference 26/00418/BNG.

Condition 7:

We have reviewed the Habitat Management and Monitoring Plan (Oak Ecology, February 2026) which has been submitted in order to discharge Condition 6.

We are not satisfied that the submitted information includes the detail required by this condition.

The species composition as included within the Biodiversity Enhancement Plan (Four Counties Architecture, April 2026) does not align with the species as proposed within the Habitat Management and Monitoring Plan (Oak Ecology, February 2026). Therefore, this should be amended so that they align to ensure proposed enhancements are able to be delivered.

The intention of the biodiversity enhancement layout is to secure reasonable biodiversity enhancements for Priority and threatened species. However, it is understood that the site offers limited opportunity for additional enhancements including bat boxes. It could be considered whether the existing tree or barn building provide a suitable location for a bat box, since bats are likely using the surrounding area for foraging and commuting.

Conclusion

We are unable to recommend the discharge of conditions 6 and 7 until the additional information outlined above has been provided.

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.