



CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	26/00675/OUT
ADDRESS	Land South Of Bosworth Academy Leicester Lane Desford Leicestershire
DESCRIPTION OF DEVELOPMENT	Outline planning application for residential development of approximately 550 dwellings, including provision of a primary healthcare facility and district centre [E Use Class]; sports facilities; public open space; access from Peckleton Lane and Leicester Lane with a connecting road; sustainable drainage; and associated infrastructure. All matters reserved except for access.
PLANNING CASE OFFICER	
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Richard Kelly
DATE OF COMMENTS	01 September 2026
ECOLOGICAL DOCUMENTS REVIEWED:	
• Application Form • Location Plan: P01 • Illustrative Framework Plan: P03 • Illustrative Masterplan: P04 • Land Use Parameter Plan: P05 • Landscape and Open Space Parameter Plan: P06 • Peckleton Lane Access Proposed Layout: J328769-MI-SI-XX-DR-C-0115 P02 • Leicester Lane Lane Access Proposed Layout: J328769-MI-SI-XX-DR-C-0120 P02 • Ecological Appraisal (FPCR, July 2026) • Skylark Mitigation Strategy (FPCR, June 2026) • Biodiversity Net Gain Technical Note (FPCR, July 2026) • Statutory BNG Metric vf1 (Aspect Ecology, July 2026)	
SUMMARY RECOMMENDATION:	
No comment	
No objection (for recommended conditions or informatives- see below)	
Recommend Refusal	

Holding Objection - Further information required	✓
REASON FOR RECOMMENDATION:	

- An Ecological Appraisal has been completed by FPCR in 2023 with updated surveys in 2024 and beginning of 2025.
- Updated habitat surveys have been undertaken in September 2025 and confirmed that habitats and management remain unchanged. However, no species-specific updated surveys have been submitted with the exception of a single breeding bird survey in June 2026. Currently, this is insufficient information to establish the presence of protected species.
- More than 18 months have since passed from the original survey dates, with additional areas of land scoped into the redline boundary. Further assessment for protected species will be required for badger, bats, birds and water vole updated by additional surveys as required.
- **There is a holding objection until these updated assessments are completed.**

GCN

- Section 4.40 states P1, P2 and P3 are displayed on Figure 2, these are currently missing and should be included.
- **There is a holding objection until Figure 2 is updated with the pond locations.**

Birds

- Four breeding bird surveys were undertaken in 2024 recording a peak count of 27 skylarks and concluded them as probable breeders on site with 8 or 9 probable breeding territories. A single updated breeding bird survey undertaken in June 2026 recorded 13 skylarks across the site consistent with the 2024 surveys.
- A skylark mitigation strategy has been submitted and reviewed. The report acknowledges the development will result in the loss or displacement of nesting territories to alternative agricultural land.
- The mitigation statement focuses on the loss and provision of skylark foraging habitat not compensation for the removal of nesting opportunities. Field compartments on the eastern and southeastern edge are proposed for onsite foraging opportunity with restricted public access and new planting. This is welcomed and accepted however, provision for replacement nesting is still required such as skylark plots.
- **There is a holding objection until the skylark mitigation strategy has been updated providing alternative nesting provision.**

Bats

- TreeT33 classed as PRF-M and T25 NONE. Tree 33 and are proposed to be removed for access and therefore should be subject to updated surveys at the appropriate time of year.
- **There is a holding objection until these surveys are completed.**

BNG Specific Comments

- Statutory condition assessment sheets are required for each individual tree.
- A separate line is required for each size of tree within the A-1 On-Site Habitat Baseline BNG metric.
- 28 Hedgerows are present on-site. However, the B-1 On-Site Hedge Baseline tab has 66 references with no hedge number or user comments present. This requires inputting and updating.
- The BNG Metric 'Watercourse' tabs are not present, these should be enabled for full review.
- **There is a holding objection until the above issues are resolved.**

Proposed Layout

- The Illustrative Masterplan: P04 indicates strong connections for wildlife along the northern and southern boundary with a central green corridor which is welcomed as part of the planning application.
- Larger corridors between the proposed housing and central hedgerows will be required, furthermore a larger corridor between the housing parcel and southeastern boundary hedgerow will also be required.

Construction and Environmental Management Plan (Biodiversity)

- A Construction and Environmental Management Plan (Biodiversity) will be required to protect the following habitats and species during construction from pollution, dust and vibration: potential Local Wildlife Sites Leicester Lane Semi-improved Grassland, Peckleton Lane – East and candidate LWS Peckleton Road Ash. The habitats of principal importance (native hedgerows), woodland and trees. A series of Precautionary Working Methods for: badger, birds, and hedgehog as suitable habitat is present on site and in the wider landscape.
- Protect the veteran Crack Willow present within the watercourse corridor qualifying as an irreplaceable habitat.
- Safeguard bat foraging and commuting routes during construction including retained trees with bat potential by a wildlife lighting strategy.
- **Please see recommended Conditions.**

Bats

- The site has suitability to support foraging and commuting bats along hedgerows and woodland edge habitat. A sensitive lighting strategy should be designed for the site to avoid excessive lighting and light exclusion zones. **Please see recommended conditions.**

Badgers

- A pre-commencement badger survey will be required no more than 3 months prior to the start of any groundworks or vegetation clearance. **Please see recommended Conditions.**

Birds

- Monitoring will be required to ensure the off-Site habitat is being managed appropriately, and the Skylark mitigation land will need to be legally secured between the applicant and landowner, the Determining Authority will need sight of this agreement therefore, a planning condition or similar will be necessary. **Please see recommended Conditions.**

Biodiversity Enhancements

- Hedges H1, H20 and H24 qualified as Important under the Wildlife and Landscape criteria of the Hedgerow Regulations 1997. Sections of H1 and H20 require removal for access and should be fully compensated for within the development.
- A series of enhancements have been recommended to optimise biodiversity from the Ecological Appraisal; these include planting native species of local provenance to produce fruit and nut bearing shrubs to provide a spring nectar and autumnal food source to pollinating insects. Any non-native species included within the proposals should include varieties listed on the RHS' 'Plants for Pollinators' database.
- Bird boxes installed within the fabric of each new dwelling at a 1:1 ratio in accordance with BS42021:2022 such as: A Triple Cavity swift boxes and 1SP Schwegler Sparrow Terraces, and Five x 1B Schwegler bird boxes in the following sizes: 2 x 26mm Hole, 2 x 32mm Hole, 1 x Oval Hole.
- Bat boxes installed within the fabric of 10% of new dwellings.

- Installation of bee bricks across the development.
- Creation of 'hedgehog highways' within the gardens of new dwellings.
- Habitats include: areas of wildflower, flowering lawn and wetland features.
- Specifications for the enhancement, creation and management of habitats should be detailed on plan. **Please see recommended Conditions.**

BNG Specific Comments

- Currently, statutory Biodiversity Net Gain is achievable on site with +40.90% increase in Habitat Units and +10.70% increase in Hedgerow Units and +12.57% increase in Watercourse Units.
- A Biodiversity Gain Plan will be required.
- The significant on-site enhancement will need to be secured for a period of 30 years for monitoring and compliance.
- A Habitat Management and Monitoring Plan (HMMP) will also need to be secured by condition. **Please see recommended Conditions.**

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

- **CEMP: Biodiversity** - No development shall take place (including ground works or vegetation clearance) until a Construction Environment Management Plan for biodiversity (CEMP: Biodiversity) has been submitted to and approved in writing by the LPA. The CEMP shall include the following details:
 - A. Identification of potentially damaging construction activities on the potential and candidate Local Wildlife Sites: Leicester Lane Semi-improved Grassland, Peckleton Lane – East and Peckleton Road Ash, hedgerows, woodland and trees
 - B. practical measures and sensitive working practices to avoid or reduce impacts during construction on badger, birds and hedgehog
 - C. timing of works to avoid harm to nesting birds
 - D. responsible persons for overseeing sensitive works
 - E. use of protective fencing where required to safeguard hedges, trees
 - F. maintaining and safeguarding bat foraging and commuting routes and retained bat potential trees through a wildlife lighting strategy
- The approved CEMP shall be adhered to and implemented throughout the construction period of each phase, unless otherwise agreed in writing by the LPA.
- **Lighting** - No external lighting shall be installed on the site until details (including luminance levels and measures to minimise light spillage) have been submitted to and approved in writing by the Local Planning Authority. External lighting shall only be installed in accordance with the approved details and shall not be replaced with any alternative lighting without the prior permission in writing of the Local Planning Authority.
- **Pre-commencement Badger Survey** - No development shall take place (including ground works or vegetation clearance) until an updated badger survey has been submitted to and approved in writing by the Local Planning Authority. This survey is to be carried out within 3 months of the likely commencement of works on site. It is to include details on mitigation measures for badgers if necessary (such as badger gates). All works are to proceed strictly in accordance with the approved document.
- **Pre-commencement Skylark Mitigation Strategy** – A Skylark Mitigation Strategy shall be submitted to and approved by the local planning authority to compensate the loss of any Skylark territories. This shall include provision of the evidenced number of Skylark nest plots to be secured in nearby agricultural land. The content of the Skylark Mitigation Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed measures
- b) Detailed Methodology for measures to be delivered
- c) Location of the proposed measures by appropriate maps and/or plans
- d) Mechanism for implementation & Monitoring of delivery

- The Skylark Mitigation Strategy shall be implemented in the first nesting season following commencement of the development in accordance with the approved details and shall be delivered for a minimum period of 10 years.
- **Biodiversity Enhancements** - No development shall take place until a biodiversity mitigation and enhancement strategy, in particular for bats, birds, hedgehogs and insects, has been submitted to and approved in writing by the Local Planning Authority. The details shall include detailed specification and plans of permanent long-term roosting provision for bats, birds, hedgehogs and insects to provide a net increase in roosting and nesting opportunities for these species. The approved permanent measures shall be implemented in full as construction proceeds and completed prior to the first occupation of the development and thereafter maintained for the life of the development.
- **HMMP** - The development shall not commence until a 30 year Habitat Monitoring and Management Plan (HMMP), prepared in accordance with an approved Biodiversity Gain Plan, has been submitted to and approved in writing by the local planning authority. The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain the following:
 - a) Description and evaluation of the features to be managed;
 - b) Ecological trends and constraints on site that may influence management;
 - c) Aims, objectives and targets for management - links with local and national species and habitat action plans;
 - d) Description of the management operations necessary to achieving aims and objectives;
 - e) Preparation of a works schedule, including annual works schedule;
 - f) Details and a timetable of the monitoring needed to measure the effectiveness of management;
 - g) Details of the persons responsible for the implementation and monitoring;
 - h) mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets; and
 - i) Details of methodology and frequency of monitoring reports to be submitted to the Local Planning Authority to assess biodiversity gain
- (To enhance biodiversity, and in accordance with the National Planning Policy Framework and paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990)

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	Y
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)	Y

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)	Y
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)	N
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	N
Statutory biodiversity credits	N
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	-Other neutral grassland	62.68
	-Mixed scrub	11.10
	-Urban tree	5.61
	-Species-rich native hedgerow associated with bank or ditch	1.76
	-Species-rich native hedgerow with trees	6.4
Large number of units at Low Distinctiveness	-Modified grassland	27
	-Sustainable drainage system	6.08
Significant increase in Distinctiveness, Condition or Area		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

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

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.

