

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council	
APPLICATION NUMBER	25/00700/FUL	
ADDRESS	215 Leicester Road Field Head Markfield Leicestershire LE67 9RF	
DESCRIPTION OF DEVELOPMENT	Full planning application for works to include, resurfacing and the installation of lighting and CCTV monitoring cameras to the existing access track from Leicester Road to the adjacent land (which is subject to a planning application for residential development under CBC reference: P/22/1031/2) for pedestrians and cyclists with retained vehicular access for the existing residential property	
PLANNING CASE OFFICER	Matt Jedruch	
DEPARTMENT	Ecology	
PLANNING ECOLOGY OFFICER	Richard Kelly	
DATE OF COMMENTS	27 October 2025	
ECOLOGICAL DOCUMENTS REVIEWED:		
• Application Form • Site Location Plan Ped Cycle Path (Hinckley and Bosworth LPA) DRG NO: 001 • 1970-ADC-HGN-XX-DR-CH-0100-S1-P01 Pedestrian and Cycle Link to Leicester Road • Lighting Report 4069-DFL-ELG-XX-RP-EO-13001-S3-P02 • Light Spill Diagram 4069-DFL-ELG-XX-LD-EO-13001-S3-P02 • Lighting Strategy 4069-DFL-ELG-XX-CA-EO-13001-S3-P02 • Technical Report (Lighting) • Baseline Walkover and Biodiversity Impact Assessment (Brindle and Green, June 2025) • Statutory BNG Metric (June 2025) • Response town planning Lexi to Matt (16/10/2025)		
SUMMARY RECOMMENDATION:		
No comment		
No objection (for recommended conditions or informatives- see below)		✓
Recommend Refusal		
Holding Objection - Further information required		
REASON FOR RECOMMENDATION:		

- A baseline walkover and Biodiversity Impact Assessment completed by Brindle and Green in June 2025 has been submitted which is accepted.
- The application site falls within two Local Planning Authorities Charnwood and Hinckley and Bosworth LPA, comments relating to Hinckley and Bosworth LPA are outlined below only.
- A section of hedgerow is needing to be cut back to facilitate development. Further consultation with the projects ecologist has confirmed that the hedge will be reduced in width to maximise the width of the cycle track. As no removal is required, this does not need including in the metric. It is recommended any vegetation works are undertaken outside the bird nesting season which runs from March to August inclusive. **Please see recommended Informatives.**
- **Habitats** – The site consists of degraded tarmac and modified grassland verges which will be lost to development. This is accepted and no objections.
- **Lighting** – The new trackway is proposed to be lit. The southern most section of pathway is sparsely vegetated and is not considered a foraging and commuting route for bats. Lighting has been designed to direct light downwards and away from boundaries. Plan: 4069-DFL-ELG-XX-LD-13001 indicates 0.2 lux falling within the adjacent gardens.
- It must be noted the northern most lighting column does exceed 1 lux falling on adjacent vegetation.

BNG Specific

- **Currently, Statutory Biodiversity Net Gain is not achievable on-site with -100% loss in Habitat Units.**
- The Baseline Walkover Survey Brindle and Green, (June 2025) states the statutory 10% net gain will be achieved through the adjacent site land at Markfield Lane, Habitat Bank (HBUCL0001).
- Full details including biodiversity gain site reference and purchase number will be required to be submitted with the discharge of the Biodiversity Gain Plan.
- Any off-site enhancements will need to be secured for a period of 30 years.
- A Habitat Management and Monitoring Plan (HMMP) and Biodiversity Gain Plan will also need to be secured by condition. **Please see recommended Conditions.**

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

- **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)	
ANY RECOMMENDED INFORMATIVES TO BE APPLIED:	
Nesting Birds - Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore, building demolition and significant alteration or vegetation clearance should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.	
IN THE CASE OF DISCHARGE OF CONDITIONS ONLY:	
(Please confirm which condition(s) is/are being discharged)	
N/A	
BIODIVERSITY NET GAIN (BNG) SECTION	
HAVE MINIMUM NATIONAL INFORMATION REQUIREMENTS BEEN PROVIDED (PPG paragraph 11):	
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)	N
ON-SITE AND OFF-SITE PROPOSALS PRESENT:	
These should be secured and monitored for 30 years	
Applicant-owned <u>significant onsite</u> BNG is proposed	N
Off-site BNG is proposed (eg. BNG units provided to achieve 10% BNG uplift either on applicant-owned land, purchased units or statutory credits)	Y
PLEASE NOTE: this is indicative only , confirmed at Biodiversity Gain Plan condition stage	
TYPE OF SIGNIFICANT ON-SITE HABITAT PROPOSED: (using the current government definition ¹)	
Medium or High Distinctiveness	N/A
Large number of units at Low Distinctiveness	N/A
Significant increase in Distinctiveness, Condition or Area	N/A

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

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.

