

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	26/00367/DISCON
ADDRESS	Land Opposite Spring Acre Lychgate Lane Burbage Leicestershire
DESCRIPTION OF DEVELOPMENT	Application to discharge the biodiversity gain condition for application 22/00192/OUT (appeal Decision APP/K2420/W/23/3321670)
PLANNING CASE OFFICER	Lesley Keal
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Michael McCoy
DATE OF COMMENTS	30 July 2026
ECOLOGICAL DOCUMENTS REVIEWED:	
• BNG Registration-TEOD8-AVDLJ (FPCR, Jul 2026) • 9932 Biodiversity Net Gain Plan Rev F (FPCR, Jul 2026) • 9932 HMMP v4 (FPCR, Jul 2026) • B-HBOS2606-MST-V01 - -BNG- _Macro_enabled_20.08.24-87e5a2 - EB Complete • (Environment Bank, Jul 2026)	
SUMMARY RECOMMENDATION:	
No comment	
No objection (for recommended conditions or informatives- see below)	✓
Recommend Refusal	
Holding Objection - Further information required	
REASON FOR RECOMMENDATION:	
• The email from gov.uk and check of the Biodiversity Gain register now confirms that the off-site gains are allocated for this site and this matches the off-site tab in the metric provided. • Hedgerow baseline strategic significance has been amended to low. • Developers' details have been added to appendix of Biodiversity Gain Plan document. • While the appendix including the gov.uk gain plan template has been attached at the bottom, there are some inconsistencies in section 6.5 regarding hedgerow, however, this should not be a holding objection as the correct information is labelled in the main body of the report in table 2 on page 7.	

The HMMP states the gains will be secured by a S106. While a S106 was included in the original application, this did not include biodiversity net gains and so the enhancements is most likely to be secured through condition. However, this should not be a holding objection.
IN THE CASE OF DISCHARGE OF CONDITIONS ONLY: (Please confirm which condition(s) is/are being discharged)
Discharge of biodiversity gain condition

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.

