



CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council	
APPLICATION NUMBER	26/00645/BNG	
ADDRESS	Cold Comfort Farm Rogues Lane Hinckley Leicestershire LE10 3DX	
DESCRIPTION OF DEVELOPMENT	Application to discharge the biodiversity gain condition from planning permission 25/00439/FUL	
PLANNING CASE OFFICER	Sullivan Archer	
DEPARTMENT	Ecology	
PLANNING ECOLOGY OFFICER	Hamish Jackson – Senior Ecological Consultant	
DATE OF COMMENTS	11 August 2026	
ECOLOGICAL DOCUMENTS REVIEWED:		
For 26/00645/BNG: • Biodiversity Gain Plan (April 2026) • Habitat Management and Monitoring Plan V1 (May 2026) For 25/00439/FUL: • The Statutory Biodiversity Metric (December 2025) • Condition Assessment Sheets (May 2025)		
SUMMARY RECOMMENDATION:		
No comment		☐
Part Discharge of Condition		☐
Full Discharge of Condition		☐
Further information required		☒
REASON FOR RECOMMENDATION:		

Conditions

Your attention is drawn to the Biodiversity Net Gain Condition within the Decision Notice. The development is subject to the Biodiversity Gain Condition. A Biodiversity Gain Plan needs to be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of development.

Comments

It is indicated that [Paragraph 14\(2\) of Schedule 7A of the Town and Country Planning Act 1990 \(as amended\)](#) and [Articles 37C\(2\) and 37C\(4\) of The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) sets out the requirements of the Biodiversity Gain Condition, which secures a 'Biodiversity Gain Plan'.

Therefore, in summary, the submission of a Biodiversity Gain Plan will consist of the following information:

- Biodiversity Gain Plan form, using the Government's template:
<https://www.gov.uk/government/publications/biodiversity-gain-plan>
- The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values.
- Completed pre-development and post-development habitat maps
- Information regarding [Habitat degradation](#) (where required).
- Information regarding [Irreplaceable habitat](#) (where required).

In addition, the following information may also be required depending on whether the development contains significant on-site enhancements or whether off-site options or Statutory Biodiversity Credits are required:

- A [Habitat Management and Monitoring Plan](#) (HMMP) for significant on-site enhancements or offsite measures in blue line boundary land.
- Legal agreement for monitoring and management of significant on-site enhancements or off-site measures in blue line boundary land.
- Evidence of off-site units being allocated to a Biodiversity Gain Site on the [Biodiversity Gain Site Register](#).
- Evidence of proof of purchase of Statutory Biodiversity Credits

Therefore, based on the submitted documents, we are generally supportive of the submitted information and indicate that metric submitted application stage appears to reflect the information provided for the Biodiversity Gain Condition. However, we would recommend that the finalised completed metric calculation tool should technically be submitted as part of the Biodiversity Gain Condition.

We also support the details contained in the Habitat Management and Monitoring Plan V1 (May 2026), subject to a minor amendment for the monitoring strategy for significant on-site enhancements will need be provided to the LPA at years 1, 3, 5, 10, 15, 20, 25, 30.

It is highlighted that significant on-site enhancements are considered the following, in line with Governments definition:

- Rural tree 0.22 units
- Mixed scrub 0.04 units
- Other neutral grassland (enhanced from modified) 1.67 units

As a result, no other habitat enhancements would require monitoring for the 30-year period and the LPA should determine how monitoring costs will be secured (i.e. via the HMMP condition or via a separate planning obligation secured as part of the Biodiversity Gain Condition).

Conclusion

We are unable to recommend the Biodiversity Gain Condition until minor amendments outlined above have been provided.

We recommend the Council considers further how long-term monitoring costs will be secured for 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 SPDs	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 (as amended)	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), (Natura 2000 sites include SACs and SPAs), SSSIs, National Nature Reserves, Local Wildlife Sites, Local Nature Reserves. Habitats and Species protection: Conservation of Habitats and Species Regulations 2017 (as amended) (protected sites and species). Wildlife and Countryside Act 1981 (as amended) including special Schedule 1, Natural England Standing Advice. Protection of Badgers Act 1992.
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