

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	26/00255/OUT
ADDRESS	16 Equity Road East Earl Shilton Leicester Leicestershire LE9 7FY
DESCRIPTION OF DEVELOPMENT	Outline planning permission for the erection of 2 new dwellings (all matters reserved except access and layout)
PLANNING CASE OFFICER	Joseph Fleetwood HBBC
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Karley Khan
DATE OF COMMENTS	10 August 2026
ECOLOGICAL DOCUMENTS REVIEWED:	
• Preliminary Ecological Appraisal Report (prepared by BJ Collins, dated 20/06/2026) • Biodiversity Net Gain Cover Report (prepared by BJ Collins, dated 20/06/2026) • BNG Metric (dated 18/02/2026, V1)	
SUMMARY RECOMMENDATION:	
No comment	
No objection (for recommended conditions or informatives- see below)	
Recommend Refusal	
Holding Objection - Further information required	✓
REASON FOR RECOMMENDATION:	
We have reviewed the above ecology documents and are largely satisfied with the information provided. There remains a few discrepancies within the BNG, and we note further survey work for GCN is yet to be completed. <i>Hedgerows;</i> • It is still unclear to what extent native hedgerow is present within the site. Section 3.3 states the hedgerow is on the neighbouring property, however this is shown in the baseline Fig 3, has been subject to a condition assessment and is included in the baseline hedgerow information in Chapter 4. • Chapter 6 incorrectly states the total hedgerow length and units. <i>GCN;</i> • Further ecological survey work for GCN is yet to be undertaken. Therefore, until the survey work has been undertaken and the results, mitigation, compensation, enhancements etc.	

provided, we cannot assess the impact of the development and a holding objection remains.

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

Please note, the below are indicative only and additional conditions may be recommended depending on the results of the further ecological information provided.

- **BNG** - The application will need to demonstrate a 10% net gain in Biodiversity as required by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). The statutory BNG metric shows there is a net loss in habitat units, these will need to be compensated for, either by creating/enhancing off-site habitat or by purchasing habitat bank/credits.

Once a suitable offsite scheme has been decided, indication of who is responsible for ensuing delivery of BNG habitats/ongoing monitoring and enforcement should be stated including ownership of the BNG offset land, and a Habitat Management and Monitoring Plan (HMMP) and Biodiversity Plan should be conditioned.

- **Construction Environment Management Plan for 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
 - B. Practical measures and sensitive working practices to avoid or reduce impacts during construction on reptiles, bats, Hedgehog, Badger and mammals
 - C. Timing of works to avoid harm to nesting birds
 - D. Responsible persons for overseeing sensitive works
 - E. Measures for pollution control/prevention, including control of surface water and protection of waterbodies
 - F. Dust management and suppression measures
 - G. Use of protective fencing where required
 - H. Use of illumination during construction
 - I. Measures to protect ecologically sensitive areas and the root protection areas of Trees, woodland and hedges during construction
 - J. Measures to exclude small animals from excavations or to allow their escape

The approved CEMP shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the LPA.

- **Sensitive Lighting Scheme** - 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.
- **Biodiversity Enhancement Scheme** - No development shall take place until a biodiversity enhancement scheme has been submitted to and approved in writing by the LPA. Enhancements shall include (but not be limited to) at least two woodcrete/integrated bat boxes, two woodcrete/integrated bird boxes, one Swift box, Hedgehog cut outs, and the

make/model/locations. Any enhancement measures need to be shown on all relevant submitted plans. All works are to proceed strictly in accordance with the approved scheme.
ANY RECOMMENDED INFORMATIVES TO BE APPLIED:
• This development may require a European Protected Species licence to make it lawful. You must be aware that to proceed with the development without first obtaining an EPS Licence could result in prosecution. • All new planting should be composed of native species. All new planting should be composed of native species of local provenance and species to attract pollinating insects as identified in the RHS' 'Plants for Pollinators' database. • 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. • All UK Bat Species are protected by law: Schedule 2 of The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (WCA) (as amended) through inclusion in Schedule 5 and Countryside and Rights of Way Act 2000 (CRoW) which makes it an offence Intentionally or recklessly/deliberately injure, take or kill a bat. Therefore, all work must be carried out carefully with the expectation that bats may be found. If bats are observed within the building at any time work must cease immediately and Natural England or the assigned ecologist for this project must be contacted for advice.
IN THE CASE OF DISCHARGE OF CONDITIONS ONLY:
(Please confirm which condition(s) is/are being discharged)
• N/A

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	N
Statement of Habitat Degradation where present (with dates and details)	Y
Reason for proposing an earlier date if applicable (ie. degradation)	N/A
Description of Irreplaceable Habitat where present	Y
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)	N
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	Y
Statutory biodiversity credits	Y
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 <u>SIGNIFICANT ON-SITE</u> 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		
Large number of units at Low Distinctiveness		
Significant increase in Distinctiveness, Condition or Area		

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

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

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.

