

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	26/00667/FUL
ADDRESS	48 Forresters Road Burbage Hinckley Leicestershire LE10 2RX
DESCRIPTION OF DEVELOPMENT	Erection of 5no detached dwellings and associated access
PLANNING CASE OFFICER	Sullivan Archer
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Karley Khan
DATE OF COMMENTS	24 August 2026
ECOLOGICAL DOCUMENTS REVIEWED:	
• Preliminary Ecological Appraisal (ref: 2025-01(03), dated 10/09/2025) • Pre-Planning Biodiversity Gain Plan (ref: 2025-01(03), dated 13/07/2026) • BNG Metric (dated 13/07/2026)	
SUMMARY RECOMMENDATION:	
No comment	
No objection (for recommended conditions or informatives- see below)	
Recommend Refusal	
Holding Objection - Further information required	✓
REASON FOR RECOMMENDATION:	
Upon review of the above ecology documents as well as the Existing Site Plan (ref: 4878/02), Design and Access Statement (ref: DAS/4878, dated July 2026), Location Plan (prepared by pgs design), Proposed Access Plan (ref: 4878/03, RevA), Landscaping Plan (ref: 4878/04) and Application Form, we require some additional information/clarification in order to assess the likely impact of the development, on ecology and biodiversity, in particular the potential impact to roosting bats, as well as Biodiversity Net Gain (BNG). Details of further information required in order to determine this application are detailed below: <i>Individual Trees;</i> • We request clarification on the number of trees recorded on site as the Fig 3 shows a total of 5 trees, however it is stated there are 4 in the vegetated garden and 2 in the Mixed Scrub. • Furthermore, it is not clear in Fig 3 which of the trees are small and medium based on the symbology used. • Paragraph 3.4.6 states 6 trees had been removed, however only 5 points are shown on Fig 3.	

Protected and Priority Species;

- The ecology report states the closest pond is 0.7km south-east of the site, however the submitted site plans show a pond at the south-west of the site at the site boundary. We request confirmation on the presence of this pond and for a pond plan to be provided where suitable.
- The site is located within a 'Swift Alert' zone as it is within 250m of a number of recorded nest sites. Swifts are a declining species, and a priority species in our Local Biodiversity Action Plan, therefore ecological enhancements in the form of swift boxes should be installed on the proposed buildings. These should be made of woodcrete for longevity, and located at least 5m above the ground, in a shaded area, and with a clear approach.

BNG;

- There are a couple of discrepancies between the BNG report and Metric for Table 1 including the area for small trees, presence of mixed scrub.
- Figure 3 for the proposed layout similarly does not match between the plan and Metric, such that both documents require updating to be consistent. Furthermore, retained hedgerow is shown within an area of scrub, such that this feature would be incorporated into the scrub such that double counting has occurred, and a number of proposed trees are shown in private gardens which is not in accordance with the BNG User Guidance.
- A total of 64 trees are proposed to be planted within mixed scrub. Given the number of trees proposed and small areas where these are proposed, we require further clarification as to whether these areas would meet the criteria for woodland.
- It is also unclear whether there are trees currently present within the hedgerow at the north which will be retained, or whether trees are to be planted within the hedgerow.
- We request the condition forms for the baseline habitats be provided, including the quadrat data from the assessment of the grassland.
- It is stated that an update assessment of the site was undertaken in April 2026, however no photos from this survey are provided.
- The introduction states degradation in the form of tree removals has occurred on-site, such that an earlier date for the baseline has been used. This is acceptable, however it is unclear whether the habitat has been assessed in accordance with the Planning Practice Guidance (PPG) for BNG and degraded habitats. The PPG states 'If there has been degradation and there is insufficient evidence about the biodiversity value of the onsite habitat immediately before the degradation, the pre-development biodiversity value of the onsite habitat must be taken to be the highest biodiversity value of the habitat which is reasonably supported by any available evidence relating to it.' The trees have been assessed to be of moderate condition, such that we require further justification as to condition scoring given the highest value should be applied.
- No statement on the presence of irreplaceable habitat has been provided.
- It is noted the post-development plans require updating such that the biodiversity gain may change. Nevertheless, the proposed plans currently meet the criteria for significance, such that we request clarification as to whether the site will remain publicly accessible to allow monitoring to take place.

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

- TBC

ANY RECOMMENDED INFORMATIVES TO BE APPLIED:

- TBC

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)	N
Completed Metric Calculation Tool	Y
Statement of Habitat Degradation where present (with dates and details)	Y
Reason for proposing an earlier date if applicable (ie. degradation)	N
Description of Irreplaceable Habitat where present	N
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 definition¹)		
SIGNIFICANCE AS DEFINED IN PPG	POST DEVELOPMENT HABITAT TYPE PROPOSED	NUMBER OF UNITS
Medium or High Distinctiveness	Hawthorn Scrub / Urban Tree	0.14 / 1.15
Large number of units at Low Distinctiveness		
Significant increase in Distinctiveness, Condition or Area	Enhance ONG & Hawthorn Scrub	0.07

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.

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

