

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 C9 (Surface Water Management during Construction) C10 (SuDS Management Plan) C14 (Existing Ground Levels and Proposed Finished Floor Levels) C23 (BNG and HMMP) of planning permission 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	26 June 2026
ECOLOGICAL DOCUMENTS REVIEWED:	
• Biodiversity Net Gain Plan Rev D (FPCR, Jun 2026) • Purchase Certificate (Habita Bank, Jun 2026) • HMMP v3 (FPCR, Jun 2026) • Metric Spreadsheet (FPCR, Jun 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 metric submitted has sections missing, please can the metric be re-submitted. • The current metric provided shows that the baseline values do not match the original baseline values from the metric 3.1. Particularly the hedgerow lengths and strategic significance. However, regarding the length, this should be acceptable as the original baseline lengths have significant errors. Please can the strategic significance be amended to low significance like in the original metric.	

• The Biodiversity Gain Plan is missing information from the template that should be included, such as submission details, developers details, responsible person details as well as how the off-site is secured for 30 years (e.g. S106 or conservation covenant). • While the proof of purchase certificate has been provided, the Biodiversity Gain Site Register does not currently show that that habitat enhancements have been allocated to this project. • HMMP is missing the detailed timetables for habitat creation/enhancement. • On page 25 of HMMP, the total number of trees proposed is 44, when the metric shows 36 trees will be planted. Please can this be amended. • Only mixed scrub of moderate condition is provided when there is also mixed scrub of poor condition also proposed. • Information on enhancement of native hedgerow (Hedgerow 2) to species-rich native hedgerow (implementation, target condition assessment, species composition & monitoring) has not been provided in the HMMP. • Hedgerow enhancement is also missing from table 1 of gain plan.
IN THE CASE OF DISCHARGE OF CONDITIONS ONLY: (Please confirm which condition(s) is/are being discharged)
• Further information before discharge of Condition 23 (BNG & HMMP) • No comment on discharge of conditions C9 (Surface Water Management during Construction), C10 (SuDS Management Plan) & C14 (Existing Ground Levels and Proposed Finished Floor Levels).

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.

