

**CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:****ECOLOGY AND BIODIVERSITY PLANNING ADVICE**

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth borough council
APPLICATION NUMBER	25/00515/OUT
ADDRESS	Land South Of Bosworth Lane Newbold Verdon Leicestershire
DESCRIPTION OF DEVELOPMENT	Outline planning permission for up to 200 dwellings, a community shop (Use Class E(a)) of up to 108 sqm gross external area and provision of up to 0.5 hectares of school playing fields and sport pitches, together with landscaping, open space, infrastructure and other associated works (All matters reserved except for access)
PLANNING CASE OFFICER	Christopher Brown
DEPARTMENT	
PLANNING ECOLOGY OFFICER	Ecology
DATE OF COMMENTS	06/11/25
ECOLOGICAL DOCUMENTS:	
<ul style="list-style-type: none">Ecological Appraisal REV H (FPCR, October 2025)Statutory BNG Metric Calculation Tool REV G (FPCR, October 2025)	
SUMMARY RECOMMENDATION:	
No comment	
No objection (for recommended conditions or informatives- see below)	✓
Recommend Refusal	
Holding Objection - Further information required	
REASON FOR RECOMMENDATION:	
<ul style="list-style-type: none">The updated EcIA and BNG calculations have been reviewed. The assessments are agreeable, and the metric has been correctly populated with a +10% gain on site achieved.A GCN DLL will be required from Natural England before works can commence. A provisional IACPC has been issued by Natural England.If BNG is being provided on applicant-owned land, and is either off-site or on-site significant, this BNG land needs to be secured and managed for a term of 30 years.If this is being secured through a Section 106 agreement with the determining authority, this will also need to be monitored for compliance during this 30-year term and a fee will be charged by the determining authority for this, through an appropriate clause in the Section 106 agreement against the current Charging Schedule.	

- Prior to commencement of works, a Biodiversity Gain Plan must be submitted, along with a Habitat Management and Monitoring Plan (HMMP) detailing how net gain will be achieved and secured and monitored for a period of 30 years.

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

- The development hereby approved shall be implemented in strict accordance with the measures stated in section 5 of the Ecological Appraisal REV H (FPCR, October 2025) unless otherwise agreed in writing by the Local Planning Authority.
- 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 Local Planning Authority. The CEMP shall include the following details:
 - Identification of potentially damaging construction activities
 - practical measures and sensitive working practices to avoid or reduce impacts during construction on protected species
 - timing of works to avoid harm to nesting birds
 - responsible persons for overseeing sensitive works
 - use of protective fencing where required
- The approved CEMP shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the Local Planning Authority.
- No development shall take place (including ground works or vegetation clearance) until a Habitat Management and Monitoring Plan (HMMP) has been submitted to and approved in writing by the Local Planning Authority.
- The approved HMMP shall be adhered to and implemented, unless otherwise agreed in writing by the Local Planning Authority.
- Reason: to ensure that protected species and habitats are taken into consideration according to legislation under the Habitats and Species Regulations (2017) and the Wildlife and Countryside Act (1981) and their amendments.

BIODIVERSITY NET GAIN (BNG) SECTION

MINIMUM NATIONAL INFORMATION REQUIREMENTS PROVIDED (PPG paragraph 11):

Confirmation that development is subject to biodiversity gain condition	Y
Pre-development habitat value (on date of application or earlier)	Y
Reason for proposing an earlier date (if applicable)	N
Completed metric calculation tool	Y
Statement of habitat degradation where present (with dates and details)	N
Description of irreplaceable habitat where present	N
Plan of onsite habitat pre-development (to scale)	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. strategic significance, habitat quantity, type or condition)	N
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SIGNIFICANT ON-SITE ENHANCEMENT REQUIRED: (using the current government definition¹)

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

med/high distinctiveness	Y
large number of units at low distinctiveness	N
significant in increase in distinctiveness, condition or area	N
BNG ADDITIONAL INFORMATION:	
Applicant-owned off-site or significant onsite BNG is present, to be secured and monitored for 30 years	Y
BNG units likely need to be provided to achieve 10% BNG uplift (purchased units or statutory credits)	N
PLEASE NOTE: this is indicative only , confirmed at Biodiversity Gain Plan condition stage	

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 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.