

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	24/01158/OUT
ADDRESS	Land Off Brascote Lane Brascote Lane Newbold Verdon Leicestershire
DESCRIPTION OF DEVELOPMENT	Outline planning application for up to 135 dwellings with associated landscaping, open space, drainage infrastructure and associated works (all matters reserved except access)
PLANNING CASE OFFICER	Matt Jedruch
DEPARTMENT	
	Ecology
PLANNING ECOLOGY OFFICER	Michael McCoy
DATE OF COMMENTS	03/04/2025
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	✓
Condition recommended	
Informative recommended	
SUMMARY OF ECOLOGICAL DOCUMENTS CONSIDERED:	
<ul style="list-style-type: none"> • Site Inspection Report Ecological SI-8338-01' (Brooks Ecological, 2025) • Biodiversity Net Gain Assessment (Tyler Grange, July 2024) • Statutory Biodiversity Metric - excel (13 June 2024) • Ecological Impact Assessment (Tyler Grange, July 2024) • Ecology Addendum Report (Tyler Grange, October 2024) 	
REASON FOR RECOMMENDATION PROVIDED:	
<ul style="list-style-type: none"> • We have reviewed the site inspection report on T7 for bat potential and find the results acceptable. • The Ecological Impact Assessment mentions three mature pedunculate trees in a 'rural trees' section, however, these trees have not been labelled, nor have they been placed in the baseline for the BNG. Are these T8-T10, if so, they need to be placed in baseline. Further information is required to clarify if these have been taken into account in the BNG metric. 	

<ul style="list-style-type: none"> • In order to minimise impacts on the local wildlife sites, a Construction and Environmental Management Plan (CEMP) is required. • The ecological enhancements such as bird and bat boxes should also be followed. • To ensure that the proposed species-rich hedgerow (replacing the previous hedgerow) reaches the very high distinctiveness, a habitat, monitoring and management plan should be provided.
BIODIVERSITY NET GAIN (BNG) SPECIFIC COMMENTS:
<ul style="list-style-type: none"> • -21.80BU (-47.45%) Habitat • +2.24BU (+12.81%) Hedgerow • +0.52BU (+10.40%) Watercourse • No irreplaceable habitats • No habitat degradation • The three rural trees need to be placed in the metric even if they are being retained. • As there is a loss of habitat units, this should be off-set through off-site habitat creation/enhancement or through the purchasing and securing of Biodiversity units/credits to compensate for this loss.
FURTHER INFORMATION REQUIRED:
<ul style="list-style-type: none"> • Information on the three rural trees.
AMENDMENTS RECOMMENDED:
<ul style="list-style-type: none"> • N/A
RECOMMENDED CONDITIONS TO BE APPLIED:
<ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> A. Identification of potentially damaging construction activities B. practical measures and sensitive working practices to avoid or reduce impacts during construction on C. timing of works to avoid harm to nesting birds D. responsible persons for overseeing sensitive works E. 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 LPA. • 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 for a period of 30 years.
RECOMMENDED INFORMATIVES TO BE APPLIED:
<ul style="list-style-type: none"> • N/A
RECOMMENDED SECTION 106 REQUIREMENT (standard clause, contribution amount, trigger for payment)
<ul style="list-style-type: none"> • N/A
DISCHARGE OF CONDITIONS ONLY:
(Please confirm which condition(s) is/are being discharged)
<ul style="list-style-type: none"> • N/A

Note for applicants: Please be aware that this specialist advice is provided to the Local Planning Authority through a Service Level Agreement between the Local Planning Authority and Leicestershire County Council.

If you have any queries about this advice, 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 as part of this service.

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.

