

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	26/00544/BNG
ADDRESS	Ivy House Farm Bilstone Road Congerstone Shackerstone Nuneaton Leicestershire
DESCRIPTION OF DEVELOPMENT	Application to discharge the biodiversity gain condition for application 25/00713/FUL
PLANNING CASE OFFICER	Alex Jelley
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Richard Kelly
DATE OF COMMENTS	08 July 2026
ECOLOGICAL DOCUMENTS REVIEWED:	
• Application Form • Baseline Habitat Plan (Arbor Vitae, February 2026) • Proposed Habitat Plan: J1008911-11a D • Biodiversity Gain Plan (February 2026) • Small Sites Metric (July 2025) • Habitat Management and Monitoring Plan V2 (Arbor Vitae, February 2026)	
SUMMARY RECOMMENDATION:	
No comment	
No objection (for recommended conditions or informatives- see below)	
Recommend Refusal	
Holding Objection - Further information required	✓
REASON FOR RECOMMENDATION:	
This application has been reviewed in conjunction with discharge of application: 26/00535/DISCON of which comments remain largely the same. • Discharge of Condition 7 (Habitat Management and Monitoring Plan) ONLY. • A Biodiversity Gain Plan has been received alongside the completed HMMP. Biodiversity Gain Plan and HMMP • Biodiversity Gain Plan section 4.7 and 4.8 state no 'significant' on-site enhancements have been proposed despite meeting the definitions of 'significant' on-site enhancements; • 48 Individual trees (moderate condition) • Modified grassland (moderate condition)	

• There is a holding objection until these sections of the Gain Plan are updated. • It is recommended that monitoring reports are secured for a period of 30 years as part of the Biodiversity Gain Condition. This is because condition 7 does not provide a sufficient trigger to secure the monitoring for compliance on behalf of the Determining Authority as advised by previous ecology responses. Habitat Management and Monitoring Plan • The HMMP has been received and reviewed. • It must be noted once specialist contractors have been appointed the Roles and Responsibilities section will require updating and reviewing. • Section 3: Modified grassland – further details of when the seed mix is to be sown should be included. • There is a holding objection until this section has been updated.
IN THE CASE OF DISCHARGE OF CONDITIONS ONLY: (Please confirm which condition(s) is/are being discharged)
• Discharge of Condition 7 (Habitat Management and Monitoring Plan) ONLY. Holding objection.

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.
--	---

