

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	25/00702/DISCON
ADDRESS	Caterpillar UK Ltd Peckleton Lane Desford Leicester
DESCRIPTION OF DEVELOPMENT	Application to discharge condition 7 (Biodiversity Enhancement Management Plan) attached to planning permission 24/00969/FUL
PLANNING CASE OFFICER	Matt Jedruch
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Hamish Jackson – Senior Ecological Consultant
DATE OF COMMENTS	10 October 2025
ECOLOGICAL DOCUMENTS REVIEWED:	
Biodiversity Enhancement and Management Plan (Estrada Ecology, July 2025)	
SUMMARY RECOMMENDATION:	
No comment	☐
Discharge of Conditions in full	☐
Discharge of Conditions in part	☐
Further information required	☒
REASON FOR RECOMMENDATION:	
<u>Conditions</u> Condition 7: <i>“No development approved by this planning permission shall commence until a Biodiversity Enhancement Management Plan (BEMP) has been submitted to and approved in writing by the Local Planning Authority.</i> Reason: To ensure that biodiversity, ecological and geological interests are protected, enhanced and maintained in accordance with Policy DM6 of the adopted Site Allocations and Development 24/00969/FUL Page 3 of 9 PEFULZ Management Policies Development Plan Document (2016) and policies ENV2 and ENV3 of the Desford Neighbourhood Plan (2021).”	

Comments

We have reviewed the Biodiversity Enhancement and Management Plan (Estrada Ecology, July 2025) which has been submitted in order to discharge Condition 7.

We are not satisfied that the submitted information includes the detail required by this condition.

We support the provision of hedgehog highways in boundary fences and consider the species mix included within the proposed landscape scheme to be appropriate for achieving the proposed habitats on site and in providing valuable habitat for invertebrates.

However, we recommend that bird and bat boxes are also included within the biodiversity enhancement plan as recommended within Section 7 of the Preliminary Ecological Appraisal (PEA) Survey Report (Estrada Ecology, March 2024). The product specifications and locations (height and orientations) of all biodiversity enhancements should be included within the Biodiversity Enhancement and Management Plan and submitted to the LPA for approval in order to allow the discharge of Condition 7.

This will ensure the enhancement of wildlife corridors/habitat links as encouraged under local policy ENV3 of the Desford Neighbourhood Plan (2021) and secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024).

We note that a Biodiversity Gain Plan has also been submitted with this application. Therefore, if it is indicated that consideration on the discharge of the Biodiversity Gain Condition should be made via the associated discharge of condition (25/00722/BNG).

Recommendation

We are unable to recommend the discharge of condition 7 until the additional information outlined above has been provided.

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.