CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	26/00257/OUT
ADDRESS	Land South Of Cunnery Close Barlestone Leicestershire
DESCRIPTION OF DEVELOPMENT	Outline planning application for the erection of up to 158 dwellings (all matters reserved access)
PLANNING CASE OFFICER	Sullevan Archer
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Michael McCoy
DATE OF COMMENTS	09 November 2026

ECOLOGICAL DOCUMENTS REVIEWED:

- **Bat Survey Report (Rev A) (FPCR, Oct 2026)**
- **Combined Bird Survey Report (Rev A) (FPCR, Oct 2026)**
- **Ecological Impact Assessment (Rev C) (FPCR, Oct 2026)**
- **Riparian Mammal Survey Report (Rev A) (FPCR, Oct 2026)**

SUMMARY RECOMMENDATION:

No comment	
No objection (for recommended conditions or informatives- see below)	
Recommend Refusal	
Holding Objection - Further information required	✓

REASON FOR RECOMMENDATION:

- We have reviewed the above documents and require further information.

- The report states that six breeding bird surveys are required to be sufficiently robust to identify & estimate populations. While further information has been provided to show a reduced number of surveys is appropriate, only one breeding bird survey was completed. This is not enough to provide a representative conclusion of population sizes and species present. Therefore, further breeding bird surveys are required.

- Further information is needed regarding the MoRPh assessments as there was only one RCA baseline result when there were three different sections of the watercourse. Please can the condition scores be completed for all three sections to match the BNG metric.

- Please can the cartographer information as well as further photos of each river section (including upstream & downstream) be provided.

- While the GCN District Level Licence Impact Assessment & Conservation Payment Certificate is attached in the EcIA report, it is missing a signature in section 6. Please can this be provided.

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

- The development shall not commence until a 30 year Habitat Monitoring and Management Plan (HMMP), prepared in accordance with an approved Biodiversity Gain Plan, has been submitted to and approved in writing by the local planning authority. The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain the following:
  a) Description and evaluation of the features to be managed;
  b) Ecological trends and constraints on site that may influence management;
  c) Aims, objectives and targets for management - links with local and national species and habitat action plans;
  d) Description of the management operations necessary to achieving aims and objectives;
  e) Preparation of a works schedule, including annual works schedule;
  f) Details and a timetable of the monitoring needed to measure the effectiveness of management;
  g) Details of the persons responsible for the implementation and monitoring;
  h) mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets; and
  i) Details of methodology and frequency of monitoring reports to be submitted to the Local Planning Authority to assess biodiversity gain
- (To enhance biodiversity, and in accordance with the National Planning Policy Framework and paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990)

- 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:
  A. Identification of potentially damaging construction activities
  B. practical measures and sensitive working practices to avoid or reduce impacts during construction on badger, bats, birds, Great Crested Newts, hedgehog, otter and water vole as well as removal of invasive species
  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.

- No external lighting shall be installed on the site until details (including luminance levels and measures to minimise light spillage) have been submitted to and approved in writing by the Local Planning Authority. External lighting shall only be installed in accordance with the approved details and shall not be replaced with any alternative lighting without the prior permission in writing of the Local Planning Authority.

ANY RECOMMENDED INFORMATIVES TO BE APPLIED:

- N/A

IN THE CASE OF DISCHARGE OF CONDITIONS ONLY:
(Please confirm which condition(s) is/are being discharged)

- N/A

PRE-DEVELOPMENT HABITAT BASELINE FOR BIODIVERSITY NET GAIN (BNG)	
THIS IS THE MINIMUM NATIONAL ESSENTIAL INFORMATION REQUIREMENTS (PPG paragraph 11) AND MUST BE SATISFIED PRIOR TO DETERMINATION:	
Confirmation that development is subject to statutory biodiversity gain condition	Y
Pre-development Habitat Plan of existing onsite habitat (to scale)	Y
Pre-development Habitat Value (on date of application or earlier)	Y
Completed **Metric Calculation Tool**	Y
Statement of **Habitat Degradation** where present (with dates and details)	N/A
Reason for proposing an earlier date if applicable (ie. degradation)	N/A
Description of **Irreplaceable Habitat** where present	N/A
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. habitat quantity, type or condition, strategic significance)	Y

POST DEVELOPMENT PROPOSALS FOR BIODIVERSITY NET GAIN (BNG)	
PLEASE NOTE: THIS IS NOT ESSENTIAL INFORMATION PRIOR TO DETERMINATION. Post-development information is **indicative only**; final proposals must be confirmed at Biodiversity Gain Plan statutory condition stage.	
ON-SITE SIGNIFICANT* BNG is proposed (If Y, please see later table)	Y
OFF-SITE APPLICANT-OWNED BNG is proposed (ie. Land shown on plan within the "blue line" boundary and inserted in "offsite" tab of statutory metric)	N
PLEASE NOTE: Where applicant-owned off-site or significant on-site BNG proposals are present, these should be secured and monitored for 30 years. The determining authority is responsible for monitoring for compliance.	
OFF-SITE PURCHASE of BNG**	
BNG units purchase from a third party to achieve 10% BNG uplift	N
Statutory biodiversity credits	N
PLEASE NOTE:** Where purchased BNG units are proposed, any purchased units from the national register are secured and monitored for 30 years by conservation covenant, separately from this planning application process.	

POST DEVELOPMENT PROPOSALS: ***TYPE OF <u>SIGNIFICANT ON-SITE</u> HABITAT PROPOSED:** (using the current government definition[1])		
SIGNIFICANCE AS DEFINED IN PPG	**POST DEVELOPMENT HABITAT TYPE PROPOSED**	**NUMBER OF UNITS**
Medium or High Distinctiveness	**Mixed scrub + Other Neutral Grassland + Urban Trees + Species Rich Native hedgerow**	**2.18 + 5.86 + 1.34 + 2.48**
Large number of units at Low Distinctiveness	**N/A**	
Significant increase in Distinctiveness, Condition or Area	**N/A**	

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 <u>directly with the Planning Officer</u> 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.

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