

**CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:**

**ECOLOGY AND BIODIVERSITY PLANNING ADVICE**

<b>COUNTY, DISTRICT OR BOROUGH</b>	Hinckley and Bosworth Borough Council
<b>APPLICATION NUMBER</b>	24/00914/OUT
<b>ADDRESS</b>	Burroughs Road Recreation Ground Burroughs Road Ratby Leicester Leicestershire
<b>DESCRIPTION OF DEVELOPMENT</b>	Outline planning application (with all matters reserved apart from access) for a phased mixed-use development comprising about 470 dwellings (Use Class C3) and provision of 1FE primary school (Use Class F1) and associated operations and infrastructure including but not limited to site re-profiling works, sustainable urban drainage system, public open space, landscaping, habitat creation, internal roads/routes, and upgrades to the public highway.
<b>PLANNING CASE OFFICER</b>	Alex Jelley
<b>DEPARTMENT</b>	Ecology
<b>PLANNING ECOLOGY OFFICER</b>	Michael McCoy
<b>DATE OF COMMENTS</b>	14 January 2026
<b>ECOLOGICAL DOCUMENTS REVIEWED:</b>	
<ul style="list-style-type: none"> <li>• <b>TECHNICAL NOTE: BIODIVERSITY NET GAIN UPDATE (FPCR, Dec 2025)</b></li> </ul>	
<b>SUMMARY RECOMMENDATION:</b>	
<b>No comment</b>	
<b>No objection (for recommended conditions or informatives- see below)</b>	
<b>Recommend Refusal</b>	
<b>Holding Objection - Further information required</b>	✓
<b>REASON FOR RECOMMENDATION:</b>	
<ul style="list-style-type: none"> <li>• We have reviewed the above document which refers to updates in the BNG metric. However, the updated BNG metric has not been re-submitted. Please can the updated BNG metric be submitted in excel format for review please.</li> <li>• We also request for photos of the on-site hedgerow.</li> <li>• Once these have been satisfied, the following conditions should be applied.</li> </ul>	
<b>ANY RECOMMENDED CONDITIONS TO BE APPLIED:</b>	
<ul style="list-style-type: none"> <li>• The development shall not commence until a 30 year Habitat Monitoring and</li> </ul>	

<p>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:</p> <ul style="list-style-type: none"> <li>a) Description and evaluation of the features to be managed;</li> <li>b) Ecological trends and constraints on site that may influence management;</li> <li>c) Aims, objectives and targets for management - links with local and national species and habitat action plans;</li> <li>d) Description of the management operations necessary to achieving aims and objectives;</li> <li>e) Preparation of a works schedule, including annual works schedule;</li> <li>f) Details and a timetable of the monitoring needed to measure the effectiveness of management;</li> <li>g) Details of the persons responsible for the implementation and monitoring;</li> <li>h) mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets; and</li> <li>i) Details of methodology and frequency of monitoring reports to be submitted to the Local Planning Authority to assess biodiversity gain</li> </ul> <ul style="list-style-type: none"> <li>• (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)</li> <li>• No development shall take place (including ground works or vegetation clearance) until an updated badger survey has been submitted to and approved in writing by the Local Planning Authority. This survey is to be carried out within 3 months of the likely commencement of works on site. It is to include details on mitigation measures for badgers if necessary (such as badger gates). All works are to proceed strictly in accordance with the approved document.</li> <li>• 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"> <li>A. Identification of potentially damaging construction activities</li> <li>B. practical measures and sensitive working practices to avoid or reduce impacts during construction on Great Crested Newts, reptiles, badgers</li> <li>C. timing of works to avoid harm to nesting birds</li> <li>D. responsible persons for overseeing sensitive works</li> <li>E. use of protective fencing where required</li> </ul> <p>The approved CEMP shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the LPA.</p> </li> <li>• The development hereby approved shall be implemented in strict accordance with the measures stated in section 5 of the Bat Report (FPCR, Dec 2024), section 7 of the great crested newt report and mitigation strategy report (FPCR, Sep 2024).</li> </ul>
<b>ANY RECOMMENDED INFORMATIVES TO BE APPLIED:</b>
<ul style="list-style-type: none"> <li>• N/A</li> </ul>
<b>IN THE CASE OF DISCHARGE OF CONDITIONS ONLY:</b>
(Please confirm which condition(s) is/are being discharged)
<ul style="list-style-type: none"> <li>• N/A</li> </ul>

PRE-DEVELOPMENT HABITAT BASELINE FOR BIODIVERSITY NET GAIN (BNG)	
<b>THIS IS THE MINIMUM NATIONAL ESSENTIAL INFORMATION REQUIREMENTS (PPG paragraph 11) AND MUST BE SATISFIED PRIOR TO DETERMINATION:</b>	
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	TBC
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
<b>SMALL SITES METRIC ONLY:</b> "Competent person" information (ie. qualifications, skills, experience)	N/A
<b>BNG METRIC INFORMATION missing or incorrect:</b>	
Incomplete or incorrect cells are shown in metric (eg. habitat quantity, type or condition, strategic significance)	TBC

POST DEVELOPMENT PROPOSALS FOR BIODIVERSITY NET GAIN (BNG)	
<b>PLEASE NOTE: THIS IS NOT ESSENTIAL INFORMATION PRIOR TO DETERMINATION.</b> Post-development information is <b>indicative only</b> ; final proposals must be confirmed at Biodiversity Gain Plan statutory condition stage.	
<b>ON-SITE SIGNIFICANT*</b> BNG is proposed (If Y, please see later table)	Y
<b>OFF-SITE APPLICANT-OWNED BNG</b> is proposed (ie. Land shown on plan within the "blue line" boundary and inserted in "offsite" tab of statutory metric)	N
<b>PLEASE NOTE:</b> 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.	
<b>OFF-SITE PURCHASE** of BNG</b>	
BNG units purchase from a third party to achieve 10% BNG uplift	N
Statutory biodiversity credits	N
<b>PLEASE NOTE**:</b> 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:		
<b>*TYPE OF SIGNIFICANT ON-SITE HABITAT PROPOSED:</b> (using the current government definition <sup>1</sup> )		
SIGNIFICANCE AS DEFINED IN PPG	POST DEVELOPMENT HABITAT TYPE PROPOSED	NUMBER OF UNITS

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

Medium or High Distinctiveness	<b>Other Broadleaved woodland + Other Neutral Grassland + Mixed Scrub + Urban Trees</b>	<b>17.05 + 29.82 + 11.51 + 2.9</b>
Large number of units at Low Distinctiveness	<b>Modified Grassland</b>	<b>5.02</b>
Significant increase in Distinctiveness, Condition or Area	<b>N/A</b>	

**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:**

<b>Legislation source</b>	<b>Reference</b>
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.

