

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

COUNTY, DISTRICT OR BOROUGH	Hinckley and Bosworth Borough Council
APPLICATION NUMBER	24/01157/HYB
ADDRESS	Kyngs Golf And Country Club Station Road Market Bosworth Nuneaton Leicestershire
DESCRIPTION OF DEVELOPMENT	Hybrid planning application seeking Full planning permission for the erection of a golf leisure and health spa and Outline planning permission (all matters reserved except for access) for the erection of up to 126 golf holiday lodges with associated works
PLANNING CASE OFFICER	Alex Jelley
DEPARTMENT	Ecology
PLANNING ECOLOGY OFFICER	Richard Kelly
DATE OF COMMENTS	21 November 2025
ECOLOGICAL DOCUMENTS REVIEWED:	
• Planning Application Form (20/12/2024) • Proposed Site Plan Dwg no A-PL-001 Rev L (07/10/2025) • Red Line Location Plan 12/09/2025 (07/10/2025) • Preliminary Ecological Appraisal (Arbtech, December 2024, updated 25.08.25, v4.) • Great Crested Newt Survey (Arbtech, July 2025) • GCN Mitigation & Enhancement Plan – EPSL Version – FINAL (Arbtech Consulting Ltd, October 2025) • Statutory Biodiversity Net Gain (BNG) Metric – FINAL • Statutory BNG Metric – Kyng Golf and Country Club, CV13 ONP – v4 27-08-25 • Biodiversity Net Gain (BNG) Assessment – FINAL (27/08/2025) • Pond Condition Sheets – P1 to P14 – FINAL (Applicant, October 2025) • Tree Condition Sheets – T1 to T56 – FINAL (Applicant, October 2025) • Pre-Development Habitat Plan – Consolidated Baseline – FINAL (Applicant, October 2025)	
SUMMARY RECOMMENDATION:	
No comment	
No objection (for recommended conditions or informatives- see below)	
Recommend Refusal	

Holding Objection - Further information required	✓
REASON FOR RECOMMENDATION:	
There has been a further review of applicant submitted information uploaded to the public planning portal dated 18/11/2025 which is considered the most recent, reviewable documents with updated ecology comments below. Previous iterations of this advice including details on species can be found on dates: 27/01/2025; 17/03/2025; 11/04/2025; 06/05/2025; 03/10/2025; 28/10/2025; 12/11/2025 • The PEA report dated (December 2024) updated 25/08/2025 does not include the whole southern section (Appendix 1b: Survey Map – southern site) as indicated by: Red Line Location Plan 12/09/2025. • The PEA report (December 2024) updated 25/08/2025 requires updating with this additional section as shown in the Location Plan Red Line Location Plan 12/09/2025 • There is a holding objection until this is received. • A Great Crested Newt Survey (Arbtech, July 2025) has been reviewed and outlines an EPSL application to Natural England will be required for the development to become lawful. • Appendix 2b: Habitat Map – southern site indicates a pond that is not present in Appendix 4: Pond Plan. • There is a holding objection until further clarification is received on the location of this pond and why it was not surveyed. • A GCN Mitigation & Enhancement Plan – EPSL Version – FINAL has been reviewed. This does not contain all the necessary information in accordance with the Great Crested Newt Mitigation Guidelines (English Nature 2001) to be provided by a licenced newt ecologist. • There is a holding objection until this is received. • Statutory Biodiversity Net Gain (BNG) Metric – FINAL and Statutory BNG Metric (27/08/2025). • Strategic significance is not in accordance with the published LNRS. • The BNG metric does not include all ponds (P1-P14) or ditches (D1 and D2). • A-2 On-Site Habitat Creation – Mixed Scrub – Condition Assessment Sheet identifies it as 'Poor' condition, however, it is 'Moderate' within the metric. This requires updating to 'Poor'. • 56 trees have been clarified within the metric. • Pond Condition Sheets have been provided; however, they do not contain all the necessary information as set out in the Statutory Biodiversity Metric Condition Assessments. • Tree Condition Sheets have been provided; however, they do not contain all the necessary information as set out in the Statutory Biodiversity Metric Condition Assessments. • There is a holding objection until these have been supplied. • Pre-Development Habitat Plan – Consolidated Baseline – FINAL (Applicant, October 2025) refers to baseline habitats in: Preliminary Ecological Appraisal (Arbtech, December 2024, updated 25.08.25, v4.0) Appendix 1a, b and c. • Appendix 1b: Survey Map – southern site does not include the additional area presented in Location Plan Red Line Location Plan 12/09/2025. • Therefore, the BNG metric v4 (27/08/2025) and habitat baseline maps (PEA report v4 27/08/2025) require updating with this additional land. • There is a holding objection until this is completed.	

- Currently, statutory Biodiversity Net Gain is achievable on site with +17.73% increase in Habitat Units and +15.96% increase in watercourse units. However, <u>the baseline habitats, areas and conditions are still required to be agreed before determination.</u> There is a holding objection until this is updated.
ANY RECOMMENDED CONDITIONS TO BE APPLIED:
Please see previous consultation responses.
ANY RECOMMENDED INFORMATIVES TO BE APPLIED:
Please see previous consultation responses.

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)	N
Pre-development Habitat Value (on date of application or earlier)	N
Completed Metric Calculation Tool	N
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 SIGNIFICANT ON-SITE HABITAT PROPOSED: (using the current government definition¹)		
SIGNIFICANCE AS DEFINED IN PPG	POST DEVELOPMENT HABITAT TYPE PROPOSED	NUMBER OF UNITS
Medium or High Distinctiveness	-Ponds -Mixed Scrub	0.51 1.28
Large number of units at Low Distinctiveness	-Modified Grassland	7.76
Significant increase in Distinctiveness, Condition or Area	-Ditches	0.24

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.

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

