

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

DISTRICT OR BOROUGH	Hinckley & 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	Kirsten Hunter
DATE OF COMMENTS	17 th March 2025
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	✓
Condition recommended	✓
Informative recommended	✓
SUMMARY OF ECOLOGICAL DOCUMENTS CONSIDERED:	
• Preliminary Ecological Appraisal (PEA); and • Statutory BNG metric - Kyngs Golf and Country Club, CV13 ONP - Final - 23-12-24	
REASON FOR RECOMMENDATION PROVIDED:	
• The update PEA has provided the requested evaluation of impacts on non-statutory designated wildlife sites. • The recommendations within the PEA should be carried out in strict accordance with the report and best practise guidance including production of a Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity) as a condition to detail the advised precautionary methods of working. • A full working BNG metric has been provided which indicates 10% is achievable for habitat units onsite but has not yet been achieved for watercourses. The proposed landscape schemes should be amended to address this deficit onsite or offsite compensation should be sought.	

The proposed development appears to lie within a named stream's riparian zone (candidate Local Wildlife Site (cLWS) Stream along Nailstone/Carlton boundary). This should be clarified and if the application boundary does lie within the riparian zone, a River Condition Assessment should be carried out by an accredited individual, unless the red line boundary can be moved outside the riparian zone.	
BIODIVERSITY NET GAIN (BNG) ESSENTIAL QUESTIONS:	
Is there irreplaceable habitat present?	X
Is there habitat degradation present?	X
Is there applicant-owned off-site or significant onsite BNG required to be secured and monitored for 30 years?	Unknown
If significant habitat is present, please list using the PPG definitions : N/A	
Are there any remaining BNG units which need to be provided outside of applicant owned land? eg. purchased through the government register as BNG units or statutory credits (PLEASE NOTE: this is indicative only and confirmed at condition discharge stage)	Unknown
BIODIVERSITY NET GAIN (BNG) BASELINE PRE-DEVELOPMENT VALUE:	
Is further information required before agreement of baseline pre-development value ?	X
Are there incomplete or incorrect cells in the Statutory Metric?	X
Is there incomplete or incorrect habitat information (quantity, type, condition)?	X
DATE PROVIDED FOR STATUTORY METRIC WHERE THIS HAS BEEN REVIEWED AND AGREED (for decision notice purposes):	
ANY RECOMMENDED CONDITIONS TO BE APPLIED:	
- 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: - Identification of potentially damaging construction activities - practical measures and sensitive working practices to avoid or reduce impacts during construction on reptiles, amphibians, otters, water voles and hedgehog; - timing of works to avoid harm to nesting birds - responsible persons for overseeing sensitive works - 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. - Biodiversity Enhancement Management Plan (BEMP) indicating locations of bat and bird boxes and enhancements for hedgehog as recommended in the PEA - Bat lighting plan as recommended in the PEA - European Protected Species Licence or District Level Licencing for great crested newts - 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.	
ANY RECOMMENDED INFORMATIVES TO BE APPLIED:	

• The proposed development appears to lie within a named stream's riparian zone (candidate Local Wildlife Site (cLWS) Stream along Nailstone/Carlton boundary). This should be clarified and if the application boundary does lie within the riparian zone, a River Condition Assessment should be carried out by an accredited individual. • Prior to commencement of works, a Biodiversity Gain Plan must be submitted, along with a Habitat Management and Monitoring Plan (HMMP) detailing how net gain will be achieved and secured for a period of 30 years.
IN THE CASE OF DISCHARGE OF CONDITIONS ONLY: (Please confirm which condition(s) is/are being discharged)
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Note for applicants: Please be aware that this specialist advice is provided to the Local Planning Authority through a Service Level Agreement between the Local Planning Authority and Leicestershire County Council.

If you have any queries about this advice, 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 as part of this service.

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.