

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	
	27 th January 2025
SUMMARY RESPONSE:	
No comment	
No objection	
Recommend Refusal	
Holding Objection - Further information required	☒
Condition recommended	
Informative recommended	
SUMMARY OF ECOLOGICAL DOCUMENTS CONSIDERED:	
• Illustrative Site Layout Plan, - Transverse Site Section X/X, Drg No. HMD/PD/0574/07; • Site Layout Plan, Drg No. HMD/PD/0574/02; • Layout Plan, Drg No. HMD/PD/0574/01; • Site Location Plan; • Biodiversity Net Gain Assessment; • Preliminary Ecological Appraisal; • Application Form - Additional BNG information; • BNG Metric	
REASON FOR RECOMMENDATION PROVIDED:	
• Preliminary Ecological Appraisal provides an evaluation of protected and priority habitats, however does not include account for impacts on non-statutory designated wildlife sites due to lack of biological records.	

• The northern site boundary is defined by candidate Local Wildlife Site (cLWS) Stream along Nailstone/Carlton boundary. cLWS are defined as those which are known through survey data to meet the LWS criteria. Given the proximity of this site to the development, impacts on this site should be considered and mitigation recommended if impacts cannot be avoided. • The recommended species surveys should be carried out to best practise guidance and submitted prior to determination. • European Protected Species Licence or District Level Licencing for great crested newts should be applied for with evidence for which route is being followed.
BIODIVERSITY NET GAIN (BNG) specific comments:
• BNG condition assessment was undertaken at a suboptimal time of year therefore key grassland species may have been missed. • Only PDF versions of the BNG Metric have been uploaded to the planning portal. A full excel BNG Metric should be provided for review. • As proposed development lies within the brook's 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.
FURTHER INFORMATION REQUIRED:
• Biological record search to ensure non-statutory sites are accounted for; • Badger survey; • Surveys for otters and water voles should works are within 8m of the brook; • River Condition Assessment; and • Full working version of BNG metric.
AMENDMENTS RECOMMENDED:
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RECOMMENDED CONDITIONS TO BE APPLIED:
• Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity) which should detail protective measures for the priority habitat woodland including root protection areas, buffer zones along brook to protect otters and water voles; measures to protect breeding birds including timing of works; precautionary methods of working with regards to reptiles, amphibians, otters, water voles and hedgehog; • European Protected Species Licence or District Level Licencing for great crested newts should be applied for; • Biodiversity Enhancement Management Plan (BEMP) indicating locations of bat and bird boxes and enhancements for hedgehog as recommended in the PEA; • Bat lightning plan as recommended in the PEA
RECOMMENDED INFORMATIVES TO BE APPLIED:
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RECOMMENDED SECTION 106 REQUIREMENT (standard clause, contribution amount, trigger for payment)
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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.