

CONSULTATION TEMPLATE RESPONSE FROM LEICESTERSHIRE COUNTY COUNCIL:

ECOLOGY AND BIODIVERSITY PLANNING ADVICE

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	11/04/2025
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 • Site Layout Plan HMD/PD/0574/02 • Layout Plan HMD/PD/0574/01 • Site Location Plan • Biodiversity Net Gain Assessment (Arbtech December 2024) • Ecology Observations • Ecology Evaluations 02/00685/COU	
REASON FOR RECOMMENDATION PROVIDED:	
• Previous comments for this application are still applicable and reiterated below.	

BIODIVERSITY NET GAIN (BNG) SPECIFIC COMMENTS:

- The BNG metric indicates 14.86% is achievable for habitat units onsite but has not yet been achieved for watercourses (-100%). The BNG assessment (section 4) recommends the proposed landscape schemes should be amended to address this deficit onsite and the BNG Metric and assessment updated with these proposals. If this is not possible offsite compensation should be sought and clearly stated.
- An Ecology Evaluations document has been provided, section 3 states 'All existing water course and ditches to be retained and enhanced via redevelopment of natural water course throughout the site. (Ecology Plan, Page 6).
- This has not addressed, the on or offsite deficit for watercourses and the corresponding Offsite Tab in the BNG metric have not been updated. **Therefore, there is a holding objection until detailed, updated landscaping schemes (in UKhabS) and BNG metric have been received.**
- The proposed development appears to lie within 10m of 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. **This has not been addressed and therefore, there is a holding objection until the redline boundary is clarified or River Condition Assessments have been received.**
- **The proposed conditions from the previous consultation responses are still valid and will be reviewed when all information is available.**

FURTHER INFORMATION REQUIRED:

- Watercourse deficit to be on site of offsite
- Redline boundary with riparian zone and whether River Condition Assessments are required.

AMENDMENTS RECOMMENDED:

- N/A

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:
 - o Identification of potentially damaging construction activities
 - o practical measures and sensitive working practices to avoid or reduce impacts during construction on reptiles, amphibians, otters, water voles and hedgehog;
 - o timing of works to avoid harm to nesting birds
 - o responsible persons for overseeing sensitive works
 - o 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.
RECOMMENDED INFORMATIVES TO BE APPLIED:
N/A
RECOMMENDED SECTION 106 REQUIREMENT (standard clause, contribution amount, trigger for payment)
N/A
DISCHARGE OF CONDITIONS ONLY: (Please confirm which condition(s) is/are being discharged)
N/A

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.

