



First Consideration Report
January 2024

ABSTRACT

Biodiversity Net Gain is an approach to development, that leaves biodiversity in a measurable better state than before the development took place.

Hinckley & Bosworth Borough Council

Contents

1. Introduction.....	2
2. Considering relevant strategies	2
Climate Change Strategy (2022-24)	2
Corporate Plan (2024-28).....	3
Planning and Development.....	3
Hinckley and Bosworth Extended Phase 1 Habitat Survey (2020).....	5
Hinckley and Bosworth Agricultural Land Study (May 2020).....	6
Hinckley and Bosworth Green Infrastructure Strategy (2020).....	6
Space for Wildlife – the Leicester, Leicestershire and Rutland Biodiversity Action Plan (2016-2026).....	7
Consideration of other strategies	7
3. Future Actions	8

1. Introduction

- 1.1. Biodiversity Net Gain (BNG) is an approach to development, that leaves biodiversity in a measurably better state than before the development took place. BNG is additional to existing habitat and species protections. Intended to reinforce the mitigation hierarchy, BNG aims to create new habitat as well as enhance existing habitats, ensuring the ecological connectivity they provide for wildlife is retained and improved.
- 1.2. Public authorities who operate in England must consider what they can do to conserve and enhance biodiversity in England. This is the strengthened 'biodiversity duty' that the Environment Act 2021 introduces.
- 1.3. This means that, as a public authority, the Borough Council must:
 - Consider what to do to conserve and enhance biodiversity
 - Agree policies and specific objectives based on consideration
 - Act to deliver policies and achieve objectives¹.
- 1.4. This report sets out the Borough Council's first 'consideration' and what the Borough Council are doing to conserve and enhance biodiversity within our borough to comply with the new Duty. The first consideration must be complete by 1 January 2024 and the Borough Council are required to agree policies and objectives as soon as possible after this, in line with Government Guidance.
- 1.5. The Borough Council must reconsider the actions within five years of when you complete your previous consideration, or this can be done more often.

2. Considering relevant strategies

- 2.1. To comply with the Biodiversity Duty the Borough Council must consider relevant strategies to identify how these will affect the Borough Council complying with the duty.

Climate Change Strategy (2022-24)

- 2.2. Hinckley and Bosworth Borough Council recognises that there is a climate change and biodiversity emergency and is acting to ensure that work takes place to reverse current trends. The Climate Change Strategy 2022-24² sets out the actions that the Borough Council will undertake to address the climate change emergency which it declared in July 2019. These include actions the Council can take itself and actions how the Council can lead others to take steps to addressing the climate crisis through both influencing behaviours and by creating policy and regulatory frameworks.
- 2.2 As highlighted above, on the 18th July 2023 the Borough Council declared its recognition of the global biodiversity emergency and the local impact this could have on the communities, residents and businesses within the Borough. A commitment was made to refresh the Climate Change Strategy with biodiversity as key priority, creating a single Climate Change and

¹ [Department for Environment, Food & Rural Affairs Complying with the biodiversity duty \(May 2023\)](#)

² [Hinckley and Bosworth Climate Change Strategy \(2022-2024\)](#)

Biodiversity Strategy. This document is to be considered by Full Council on 30th January 2024 for adoption.

Corporate Plan (2024-28)

- 2.3 The vision within the Borough Council's Corporate Plan³ is for the Borough to be a place of opportunity which creates a great place to live, work and enjoy through three objectives: People; Places and Prosperity. Within the objectives there are a series of goals, the ones relating to biodiversity enhancement and conservation are:
- Adopt a new and ambitious local plan
 - Work towards a greener borough
 - Promote sustainable development and initiatives to reduce the carbon footprint of the borough

Planning and Development

Local Planning Policy is currently set out

- 2.4 In the Core Strategy (2009), Site Allocations and Development Management Policies DPD (2016), Hinckley Town Centre Area Action Plan (2011) and Earl Shilton and Barwell Area Action Plan (2014). The paragraphs below set out how Hinckley and Bosworth Borough Council's existing Local Plan considers the conservation and enhancement of biodiversity.
- 2.5 The Core Strategy (2009)⁴ highlights issues facing the Borough during the plan period (2006-2026) this includes the pressures on the on the borough's landscapes and green spaces as well as presenting opportunities for enhancing and extending green infrastructure assets, linking and improving biodiversity within the borough. The Core Strategy also contains spatial objectives which includes

Spatial Objective 10: Natural Environment and Cultural Assets - To deliver a linked network of green infrastructure, enhancing and protecting the borough's distinctive landscapes, woodlands, geology, archaeological heritage and biodiversity and encourage its understanding, appreciation, maintenance and development.

Spatial Objective 12: Climate Change and Resource Efficiency To minimise the impacts of climate change by promoting the prudent use of resources through sustainable patterns of development, investment in green infrastructure, minimising the use of resources and energy, increasing reuse and recycling of natural resources, increasing the use of renewable energy technologies and minimising pollution, including greenhouse gas emissions.

- 2.6 The Core Strategy also contains several policies which support the enhancement and conservation of biodiversity including:
- Policy 6: Hinckley/Barwell/Earl Shilton/Burbage Green Wedge
 - Policy 9: Rothley Brook Meadow Green Wedge
 - Policy 20: Green Infrastructure
 - Policy 21: National Forest

³ [Hinckley and Bosworth Corporate Plan \(2024-2028\)](#)

⁴ [Hinckley and Bosworth Core Strategy \(2009\)](#)

- Policy 22 Charnwood Forest
- 2.7 The Site Allocations and Development Management Policies DPD (2016)⁵ identifies sites for uses such as housing, employment, retail, open space and community facilities that will deliver the aims, vision and objectives of the Core Strategy. It also contains 25 development management policies which will be used to assess planning applications over the plan period.
- 2.8 One policy of note is Policy DM6 Enhancement of biodiversity and geological interest this sets out that *'development proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long-term future management. Major developments in particular must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks, and ecosystems.'*
- 2.9 In addition, the Site Allocations and Development Management Policies DPD contains the following policies which support the enhancement and conservation of biodiversity including:
- DM1: Presumption in favour of sustainable development
 - DM2: Delivering Renewable Energy and Low Carbon Development
 - DM4: Safeguarding the Countryside and Settlement Separation
 - DM7: Preventing Pollution and Flooding
 - DM8: Safeguarding Open Space, Sport and Recreational Facilities
 - DM9: Safeguarding Natural and Semi-Natural Open Spaces
 - DM10: Development and Design
- 2.10 The Hinckley Town Centre Area Action Plan (AAP) (2011)⁶ focuses on the regeneration of Hinckley town centre and sets out the strategy for the future of the town centre and identifies sites for development. Along with more general policies, the document sets out the council's aspirations for the redevelopment of nine key sites in the town centre to improve Hinckley's range of shops, employment and leisure opportunities for residents and visitors. Some of the policies within this document were superseded by policies contained in the Site Allocations and Development Management Policies DPD.
- 2.11 The purpose of the Earl Shilton and Barwell Area Action Plan (AAP) (2014)⁷ is to set out the strategy for future development across the two settlements. The AAP allocates land for housing, employment, retail, recreation, open space and community facilities within two sustainable urban extensions north-west of Barwell and south-east of Earl Shilton. It also contains policies which relate to proposals that require site-specific conditions such as design guidance, conservation and protection of open spaces and further policies, which will be used in the day-to-day assessment of planning applications across the entire settlements. Some of the policies within this document were superseded by policies contained in the Site Allocations and Development Management Policies DPD

⁵ [Hinckley and Bosworth Site Allocations and Development Management Policies DPD \(2016\)](#)

⁶ [Hinckley Town Centre Area Action Plan \(2011\)](#)

⁷ [Earl Shilton and Barwell Area Action Plan \(2014\)](#)

- 2.12 The Borough Council are currently in the process of reviewing the Local Plan and has undertaken the following stages:
- Scope, Issues and Options (January 2018 to February 2018)
 - Directions for Growth Consultation (January 2019)
 - Draft Local Plan (June 2021)
 - Local Plan Regulation 19 Consultation Document (February 2022 to March 2022)
- 2.13 The emerging Local Plan sets out an aspirational but realistic vision for the borough that encompasses an objective to ensure that growth will respect the borough's important townscapes, natural landscapes and will work with and protect and enhance the natural environment and natural processes to improve biodiversity increase natural capital, contribute to the Nature Recovery Network to help achieve the goals set out within the Government's 25 Year Environment Plan, and enhance the quality of local rivers and environmental quality of open spaces for the benefit of people and nature. The sixth Spatial Objective of the Draft Local Plan Regulation 19 version is entitled 'Natural Environment'. It seeks to conserve and enhance the natural environment, protect biodiversity and deliver a network of green infrastructure that connect and contribute to the Nature Recovery Network.
- 2.14 The Borough Council are reviewing its existing Habitat Survey evidence base to inform the preparation of the plan. The most recent Extended Phase 1 Habitat Survey was completed in 2020 but has been identified for Review as additional sites have been received through the call for sites process and policy context surrounding biodiversity has changed since the previous Study was completed, for example, UK Habitat Classification System, biodiversity net gain and nature recovery networks. The Local Plan Habitat Survey will provide important evidence which will (amongst other things) inform Local Plan policy, allocations for development, the Strategic Housing Economic Land Availability Assessment (SHELAA) and criteria for assessing the sustainability of future development proposals. It will also provide up to date and comprehensive information to inform development management decisions and identify mitigation measures.
- 2.15 In addition, the Borough Council are also exploring the potential of utilising Burbage Common and Woods as a site to provide biodiversity units for off-site delivery of biodiversity net gain and have commissioned a Study to explore this opportunity further.

Hinckley and Bosworth Extended Phase 1 Habitat Survey (2020)

- 2.16 As highlighted above, the Hinckley and Bosworth Extended Phase 1 Habitat Survey (2020)⁸ was prepared to inform the preparation of the Local Plan Review. The primary purpose of the study is to assess the suitability of sites to accommodate development within the borough and, in doing so, inform emerging planning policy in the protection and enhancement of biodiversity. The objectives of the study are to: Determine the ecological value of each site, identifying features of ecological importance and features sensitive to potential impacts associated with residential development; Assess the suitability of sites potentially suitable for development, considering locally appropriate mitigation measures; and provide a strategic overview of locally appropriate restoration and enhancement measures which can deliver a net gain. This Study was produced under the Phase 1 Habitat Survey method and the Borough Council would like to refresh its site selection evidence so that it is compatible with the UK Habitat Classification System and so additional sites received are assessed.

⁸ [Hinckley and Bosworth Extended Phase 1 Habitat Survey \(2020\)](#)

Hinckley and Bosworth Agricultural Land Study (May 2020)

- 2.17 The Agricultural Land Study (May 2020)⁹ reviews the agricultural quality of land across the borough. Agricultural Land Classification (ALC) is a system used in England and Wales to grade the quality of land for agricultural use, according to the extent by which physical or chemical characteristics impose long-term limitations. This Study will enable the Borough Council to guide development away from the best and most versatile land which helps to support ecosystems and habitats.

Hinckley and Bosworth Green Infrastructure Strategy (2020)

- 2.18 The Green Infrastructure Strategy¹⁰ looks at the network of green spaces, pathways, bridleways and wildlife corridors, how they link our towns and villages and how we can improve these connections for the benefit of wildlife and recreation.
- 2.19 The Strategy identifies 'Biodiversity' as a key theme for the Borough's green infrastructure network and highlights key issues and opportunities including:
- BD1 Condition of nationally and locally important assets
 - BD2: Intensive agricultural management and the role of agri-environment schemes
 - BD3: Habitat Connectivity
 - BD4: Recreational pressure on vulnerable habitats
 - BD5: Management of open spaces and highway verges for biodiversity
 - BD6: Restoration of former mineral sites
- 2.20 The Study also identifies 11 priority opportunities which can be used as a starting point for master planning sites and delivering onsite green infrastructure gains. The priority opportunities which relate to biodiversity enhancement and conservation include:
- Re-wilding road verges: This opportunity responds to the need to create pollinator corridors and biodiversity corridors through the whole Borough and proposes small modifications to conventional management and cutting regimes along road verges, allowing them to become vital links that allow wildlife to move freely between fragmented habitats.
 - Expanding woodland cover: This opportunity responds to the relatively low forest cover outside the National Forest territory, to act as both a 'carbon sink' and to provide a range of ecosystem services. This is likely to involve extensive partnership working and taking advantage of emerging grant schemes as this issue rises up the policy agenda.
 - Managing Spaces for Biodiversity: This opportunity responds to the potential for existing green space to 'work harder' in providing habitats, through changes to the management processes, particularly seeking to address concerns over poor grassland diversification within the Borough. This opportunity also addresses the need for richer and more diverse habitats within new green spaces provided through the planning process.
 - Enhancing the southern green wedge: This opportunity encourages additional uses for the Hinckley/Barwell/Earl Shilton/Burbage Green Wedge in the Southern GI Zone, to support surrounding communities and wildlife. Potential uses include food growing, community woodlands and orchards, and environmental education facilities. Such improvements will also be crucial in reducing recreational pressure on vulnerable habitats within the Wedge.

⁹ [Hinckley and Bosworth Agricultural Land Study \(May 2020\)](#)

¹⁰ [Hinckley and Bosworth Green Infrastructure Strategy \(2020\)](#)

- A northern gateway for Hinckley: This opportunity seeks to capitalise on emerging developments to the west of Hinckley to improve connections to the 'green-blue spine' of the Ashby Canal and softening the 'harsh' urban environment. The proposal also includes improvements in access and biodiversity along a targeted stretch of the canal north of the urbanised area.
- Greenways through Hinckley: This opportunity responds to the fragmented nature of existing walking and cycling routes through Hinckley and linking up key destinations (including the railway station, green wedge and key new developments) by proposing a better-connected series of 'greenways' building on existing assets and linking into connectivity proposals made within the 2020 Hinckley Public Realm Masterplan.
- A more resilient Burbage Common and Woods: The opportunity responds to the threat of recreational pressure identified at the fragile Burbage Common and Woods SSSI, by proposing provision of alternative green space, the re-routing of visitors, and the extension of semi-natural habitats outward from the Common.

Hinckley and Bosworth Landscape Character Assessment (2017)

- 2.21 Landscape Character Assessment¹¹ is a process by which to define what makes one area of landscape distinct or different from another. The character areas cover the whole borough including rural (landscape) character areas and settlements (urban) character areas based on their physical, cultural, natural and perceptual characteristics. The Study identifies key characteristics of each area and highlights sensitivities and provides recommendations. These include in relation to biodiversity, for example, in the Charnwood Fringe Character Area, Semi-improved grasslands and lowland meadow habitats are highlighted as habitats which are particularly valued in the area due to the relative scarcity of biodiversity assets because of intensive farming regimes.

Space for Wildlife – the Leicester, Leicestershire and Rutland Biodiversity Action Plan (2016-2026)

- 2.22 The Space for Wildlife- the Leicester, Leicestershire and Rutland Biodiversity Action Plan¹² has three main components:
- To promote the restoration, management and creation of BAP priority habitats
 - To promote the creation of new wildlife habitat in the wider countryside
 - To survey, monitor and promote favourable management of existing good sites through the Local Wildlife Sites system.

Consideration of other strategies

- 2.23 The Borough Council recognises that the new obligations for local authorities which follow from the Environment Act reflect the intention set by the Government's 25-year environment plan to improve our natural environment.
- 2.24 The Local Nature Recovery Strategy for Leicestershire is in development and being led by Leicestershire County Council. Hinckley and Bosworth Borough Council has been an active partner in the early development of this strategy and will continue to work with the County Council as the full strategy is developed.

¹¹ [Hinckley and Bosworth Landscape Character Assessment \(2017\)](#)

¹² [Space for Wildlife- the Leicester, Leicestershire and Rutland Biodiversity Action Plan \(2016-2026\)](#)

3. Future Actions

- 3.1 As highlighted previously, the Council declared a climate emergency in July 2019, and a Climate Change Strategy was approved shortly after. This was updated in 2022 to last until 2024, however after the biodiversity emergency declaration it was agreed the climate change strategy should be updated to reflect this. The Borough Council are producing a Climate Change and Biodiversity Strategy which will identify the Borough Council's Biodiversity Objectives and Actions. This document is scheduled to go to Full Council for approval on 30th January 2024.
- 3.2 This updated strategy will take the Council through to 2028 and will be supported by an updated action plan. The updated strategy has been developed through the Hinckley and Bosworth officer climate change task and finish groups and discussed at the Hinckley and Bosworth Climate Change Member working group.
- 3.3 The Climate Change and Biodiversity Strategy (2024-28)¹³ sets out the Borough Council's Biodiversity Objectives these include:
- Work towards an increased tree canopy in the borough
 - Increase biodiversity on our property and enhance our green infrastructure
 - Through the planning service ensure the delivery of at least 10% biodiversity net gain on all qualifying planning applications which are permitted
- 3.4 The overarching actions the Borough Council will undertake to achieve this are:
- The council's biodiversity
- *We will review our grounds maintenance operations to increase biodiversity. This will include reviewing chemical use to control weeds and mowing regimes*
 - *We will maintain and increase our current tree stock, hedgerows, and woodlands on council owned land*
 - *We will implement the biodiversity actions within the Green Space Strategy and develop a plan for biodiversity improvements to our housing land*
- The borough's biodiversity
- *We will continue our residents free tree scheme*
 - *We will deliver biodiversity net gain, green infrastructure projects, and protect at risk species through our planning services*
- In partnership
- *We will support biodiversity work at a County level through the climate and nature pact, Local Nature Recovery Strategies and the Green Living Leicestershire partnership*
 - *We will seek to build capacity and support our parishes and communities to increase biodiversity*
- 3.5 Government guidance confirms that the Borough Council must publish a 'Biodiversity Report' setting out the policies and actions that have been carried out to comply with the biodiversity duty. This will include the actions the Borough Council have completed to meet biodiversity net gain obligations as a local planning authority. The end date of the first reporting period should be no later than 1 January 2026, and the end date of each reporting period after this must be within 5 years of the end date of the previous reporting period.

¹³ [Hinckley and Bosworth Climate Change and Biodiversity Strategy \(2024-28\)](#) (to be adopted at Full Council on 30th January 2024)

3.6 The Borough Council have identified specific on-going actions; these have been identified through the work through the Climate Change and Biodiversity Strategy The actions relevant to biodiversity are as follows:

- Baseline ecological surveys at 8 sites
- Bat, Bug and Bird box project
- Biodiversity Improvement Plan for housing land
- Biodiversity improvements on green spaces and car parks
- Biodiversity improvements on housing land
- Biodiversity improvements on industrial estates
- Biodiversity management plan for Ashby Road Cemetery and closed churchyards
- Continue residents free tree scheme
- Create new Coronation Woodland (Hill Hole Quarry)
- Develop BNG Implementation Plan
- Explore potential for an environmental education service at Burbage Common
- Herbicide and pesticide review
- High level tree planting plan for Borough Council Land
- Identify opportunities to deliver 2020 Green Infrastructure Strategy
- Implement BNG in accordance with national legislation
- Include wildlife gardening at the Burbage Common Open Day
- Install swift boxes on housing buildings
- Maximise external funding for tree planting
- New Site Management Plan for Burbage Common and Woods
- New Site Management Plan for Hollycroft Park
- Protect priority species and habitats through the planning process
- Review grounds maintenance operations to increase biodiversity
- Review of annual bedding displays to increase biodiversity and reduce carbon impact
- Review of site boundaries and opportunities to swap fences with hedges on housing land
- Review suitability for our buildings to have living walls and green roofs
- Share our biodiversity improvements with parishes at the Parish Forum
- Staff biodiversity awareness training for planning matters
- Staff biodiversity awareness training for HBBC land
- Support nature recover strategies/ Leicestershire County Council Nature Pact work
- Support neighbourhood plans to increase biodiversity at a parish level.

3.6 The actions outlined above will be reviewed and reported on quarterly through the relevant task and finish groups to ensure that the actions are being actively progressed.