

Ecological Assessment



Stanton under Bardon
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**Tyler
Grange**

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Section 3: Considerations in Respect of Proposed Development

Proposed Development

- 3.1. The proposals (see **Appendix 1**) include the erection of c. 50 dwellings with associated landscaping, open space, drainage infrastructure and associated works.
- 3.2. The main habitats that are due to be lost as a result of the development are the improved grassland (0.84ha) and semi-improved grassland (1.30ha). A small section of hedgerow along the western boundary is also due to be lost to allow for site access, as well as various scattered trees.
- 3.3. The potential impacts in respect to development of the site are set out below, with reference to relevant legislation and planning policy, which is summarised in **Appendix 2**.
- 3.4. As part of local policy DM6 – Enhancement of Biodiversity and Geological Interest, the local authority states:

“Development proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long term future management.”

Potential Impacts and Proposed Mitigation

- 3.5. Both the Countryside and Rights of Way (CROW) Act 2000 and the Natural Environment and Rural Communities (NERC) Act 2006 give the importance of conserving biodiversity a statutory basis, requiring government departments (which includes Local Planning Authorities) to have regard for biodiversity in carrying out their obligations (which includes determination of planning applications) and to take positive steps to further the conservation of listed species and habitats. These articles of legislation require Hinckley and Bosworth Borough Council to take measures to protect species or habitats from the adverse effects of development, where appropriate, by using planning conditions or obligations. Planning authorities should refuse permission where harm to the species or their habitats would result, unless the need for, and benefits of, the development clearly outweigh the harm.
- 3.6. The results of the desk study and ecological surveys have informed the design of the masterplan, with a focus on the retention of the features of most importance including the boundary hedgerows, stream corridor and scattered trees (see Section 2). Where there are potential impacts to ecological features during the construction and operational phases of the development which would trigger legislation or planning policy (see **Appendix 2**), these are described below together with the proposed mitigation. In line with local and national planning policy, a strategy for enhancement of the biodiversity on the site is also outlined.
- 3.7. Central to the mitigation and enhancement strategy is the provision of ecological enhancements and habitat creation and:
 - A Construction Environmental Management Plan (CEMP), based on principles outlined in this report, which will set out the measures to protect retained habitats of importance, namely the retained boundary features including protective fencing and pollution



hedgerow criteria. If any trees break down in relation to the impact on the roots, replacement planting will be required in addition to the native hedgerow planting already expected.

- 3.15. The retained western half of the PWS will be protected from adverse impacts as a result of construction, through the adoption of an appropriate management scheme and construction methods in line with best practice⁸ and to be controlled by a Construction Ecological Management Plan (CEMP).
- 3.16. The management of the new hedgerow planting and existing hedgerow enhancement will be informed via a Landscape and Ecological Management Plan (LEMP).

National Forest

- 3.17. In-line with National Forest planning guidelines⁹, and therefore local Core Policy 21 (**Appendix 2**), at least 20% of the site has been designated to create and enhance forest-related green infrastructure.
- 3.18. The proposals for the site include the creation of c.0.89ha of forest-related green infrastructure, including an ecologically designed sustainable urban drainage (SuDS) feature, habitat creation in the form of wildflower meadow, scrub planting and roadside tree planting, which accounts for over 42% of the site's total 2.14ha.

Habitats

- 3.19. All 0.84ha of the improved grassland is to be lost under proposals (**Appendix 1**). This habitat is of negligible ecological importance, therefore no specific mitigation is required.
- 3.20. Required hedgerow removal is addressed in section 3.12 above.
- 3.21. The northern boundary hedgerow and most of the scattered trees are to be retained. All retained hedgerows and trees will be protected from pollutants and run off during construction through the adoption of an appropriate management scheme and construction methods in line with best practice¹⁰ and to be controlled by a CEMP. Tree protection fencing will also be erected in line with BS5837 to protect the above and below-ground structures of retained trees, in line with British Standard BS5837: 2012 'Trees in Relation to Design, Demolition and Construction'.
- 3.22. The biodiversity value of the site will be increased through ecologically minded landscaping, including planting of native trees, hedges and shrubs, and creation of wildflower meadows, which provide opportunities for a range of fauna. In addition, the creation of the SuDS has been designed to maximise the benefits for wildlife, including making it permanently wet and providing suitable emergent vegetation.
- 3.23. Planting of native species or species of known biodiversity value will be included in the landscape strategy for the site, the design of such could be controlled by a planning condition. This will

⁸ CIRIA. (2015). CDM 2015 - construction work sector guidance for designers, fourth edition (C755).

⁹ The National Forest. (2018). National Forest Guide for developers and Planners. Available at: <https://www.nationalforest.org/sites/default/files/components/downloads/files/Planners%20Guide%202018.pdf>

¹⁰ CIRIA. (2015). CDM 2015 - construction work sector guidance for designers, fourth edition (C755).

