

Land North of Market Bosworth Station

Ecological Impact Assessment (EcIA)



Client:

Richborough Estates Limited

Report Reference:

RSE_8306_R1_V1_EcIA

Issue Date:

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EXECUTIVE SUMMARY

1.1 Background

- i RammSanderson Ecology Ltd were commissioned by Richborough Estates Ltd to undertake an Ecological Impact Assessment to support the proposed residential development with associated infrastructure and amenity space (hereafter referred to as the Scheme), located to the north of Station Road, Market Bosworth, Leicestershire (the Site).
- ii The Site is 8 ha and comprises grassland fields, some of which are subject to cattle grazing, a pond, woodland, scattered trees, as well as hedgerows forming the boundaries.

1.1.2 Bats

- iii T1, T2 and T3 were identified as having preliminary roosting features for multiple bats (PRF-M), which are likely to be retained within the Site.
- iv The overall Site is considered to offer foraging and commuting value to bats, however the Scheme will not result in the fragmentation or large scale loss of high suitability habitat and within the development proposals, potentially high value foraging areas are to be created within the scheme. A lighting strategy, following guidelines set out in Bat and Lighting in the UK (BCT and ILP, 2018) will be implemented during the construction and operation phases

1.1.3 Designated Sites

- v The Site does not have and is not in proximity to any statutory designated sites such as SAC's, SPA's, Ramsar or SSSI's.
- vi T1, Veteran Ash – Market Bosworth Station Road LWS is located within the Site and will be retained within the Scheme. Impacts to the root protection zone (RPZ) will be minimised through buffer fencing in accordance with BS5837, and standard measures to control pollutants, dust and other contaminants should be implemented. Works should adhere to Containment systems for the prevention of pollution (C736F) guidelines (CIRIA, 2014) and silt fencing/silt bed matting should be installed during Site clearance and construction phases.
- vii No impacts are likely to occur to Sedgemere Market Bosworth LWS as this has been subject to a residential development.

1.1.4 Habitats

- viii The Scheme will result in the loss of modified grassland, other neutral grassland, a pond, 6 semi-mature trees and some native hedgerow. However, the scheme also includes creation of high value habitats including provision of new wildlife ponds at a ratio of 3:1 for the pond loss.
- ix Standard measures to control pollutants, dust and other contaminants should be implemented. Works should adhere to CIRCA C736F guidelines and silt fencing/silt bed matting should be installed during Site clearance and construction phases.

1.1.5 Great Crested Newt

- x A population of great crested newts (GCN) is known to be present within P1 at the Site and P7. eDNA was conducted on P5 and P6, which returned a negative result. Access was not granted for surrounding waterbodies, however it is assumed that some of these have GCN present during the breeding phase forming part of a meta population with P1.

- xi A district level licence will be sought prior to development occurring at the Site, and an Impact assessment of conservation payment certificate (IACPC) has been applied for. Under this licence, the GCN presiding within P1 will be translocated to the three new wildlife ponds being created within the biodiversity area on Site.

1.1.6 Birds

- xii Trees, woodland, hedgerows, pond and long sward grassland offer nesting opportunities to common bird species. No evidence of any schedule 1 bird species was recorded within the Site, and it is considered likely that only common nesting birds may be present and potentially impacted by the works. Mitigation to either avoid the nesting season (March-August inclusive) or check vegetation and buildings prior to demolition would protect birds and prevent impacts to this species group.

1.1.7 Badger

- xiii No evidence of badger was recorded at the Site, however the hedgerows and woodland provide sett building opportunities, with the wider Site providing commuting and foraging habitat.
- xiv A Precautionary Method of Works (PMW) should be adhered to during Site clearance and the construction phase, including clearance of scrub using hand tools only and providing a sloped edge to any excavations left overnight.

1.1.8 Reptiles

- xv Records of common grass snake were returned within the desk study, however, most of the Site was regularly mown and grazed, and therefore unsuitable for reptiles to persist. The hedgerow and central field provided more opportunity, however the Site is unlikely to form a core population of reptiles.
- xvi Vegetation clearance works should adhere to the works procedure described in section 4.8.1.

1.1.9 Water Vole and Otter

- xvii Records of otter were returned within the desk study. A watercourse, the Ashby de la Zouch Canal, was located over 100 m from the Site boundary, across an active railway. Any otter utilising this watercourse for commuting are unlikely to be impacted by the Scheme. Furthermore, otter resting sites would not be subject to disturbance, with no fragmentation taking place between the canal, woodland to the north and P5 and P6.
- xviii No suitable habitat for water vole was present at the Site or within 100 m. As such, water vole within the Application Site are ruled out for further survey and are of negligible nature conservation importance.

1.1.10 Aquatic Invertebrates and Fish

- xix No suitable habitat for fish was present at the Site or within 50 m. As such fish within the Site are of negligible nature conservation importance.
- xx Aquatic invertebrates such as dragonflies could be present within P1, although these are unlikely to form core populations. Three wildlife ponds are to be created within the designated biodiversity area which will compensate for the loss of P1, and enhance the habitat for this species.

1.1.11 Terrestrial Invertebrates

- xxi The less managed central field provided opportunities for terrestrial invertebrates within the Site. A phased vegetation clearance should be undertaken during the construction phase, to be detailed within a CEMP.
- xxii Neutral grassland meadows and an orchard are to be created within the designated biodiversity area which will enhance the Site during the operation phase for terrestrial habitats.

1.1.12 Principal Species

- xxiii No recent records were returned within the desk study. The hedgerows, long sward grassland, pond and woodland offered suitable habitat for foraging, commuting and refuge seeking brown hare, common toad and hedgehog.
- xxiv The Site clearance and construction phase should adhere to the recommendations of the Site PMW in line with that detailed for badger. It is recommended that hedgehog highways are installed within the proposed Site fencing to maintain habitat connectivity across the Site.

1.1.13 Invasive and non-native species

- xxv Giant hogweed was present within H1 and therefore there is a risk that this could be spread during the construction phase of the works. Removal is therefore recommended by appropriately trained professionals.
- xxvi Ongoing monitoring for 2 years after the treatment is recommendation, to be detailed within a CEMP.

1.1.14 Biodiversity

- xxvii The Scheme will aim to deliver a net gain at Site, however, if not possible, an offsite solution will be sought and as a last resort, habitat units will be purchased.

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1 INTRODUCTION

1.1 Terms of Reference

- i RammSanderson Ecology Ltd (RS) were commissioned by Richborough Estates Ltd (the Applicant) to undertake an Ecological Impact Assessment (EcIA) to support the planning application for the residential development located to the north of Station Road, Market Bosworth, Leicestershire. All land situated within the red line of the Scheme is hereafter referred to as the Site and is shown on Figure 1.
- ii The purpose of this EcIA is to demonstrate how the Scheme accords with relevant national and local planning policy and legislation. Further details on relevant planning policy and legislation are provided in Appendix A.
- iii This EcIA details the methodology followed to undertake the assessment, describes the ecological baseline relevant to the Scheme and evaluates the nature conservation importance of ecological features present within the Study Area (see Section 2). The EcIA characterises the impacts (both positive and negative) of the Scheme on Important Ecological Features (IEF)¹, and where necessary, sets out appropriate and proportionate avoidance, mitigation and compensation measures that will be delivered by the Applicant. The significance of any residual effects (both positive and negative) of the Scheme on the IEFs has been assessed, and opportunities for enhancement are identified with the overall aim of achieving biodiversity net gain through the Scheme.
- iv This EcIA forms part of the supporting technical documentation for the planning application submitted for the Scheme and has been undertaken with reference to current good practice² and is consistent with the requirements of British Standard 42020:2013 *Biodiversity. Code of Practice for Planning and Development*.

1.2 The Scheme

- i The Scheme proposes a residential development of approximately 100 dwellings on 8 ha. Associated infrastructure will include community spaces, access, pedestrian routes, recreational grounds, an ecology pond and SUDs. The Scheme is aiming to retain peripheral habitats and the woodland to the east, as well as providing additional planting.

1.3 The Application Site

- i The Site is located north of Station Road, Market Bosworth, Leicestershire, CV13 at Ordnance Survey national grid reference SK 39496 03252 and is approximately 8 ha in size. It lies to the west of Leicester, and to the east of Birmingham.
- ii The Site is comprised of grass fields, some of which are subject to cattle grazing, a pond, woodland, scattered trees, as well as hedgerows forming the boundaries. The Site is bounded by a railway to the west, residential and industrial development to the south, and farmland to the north.

1.4 Background Information

- i A preliminary ecological appraisal was conducted by RammSanderson in 2020 (RSE_3676_01_V1) of the eastern section of the Site, which included the central and eastern fields, and peripheries. The habitats on Site were recorded much the same as the 2024 walkover, with little to no differences. An egg search in P1 during the

¹ Important Ecological Features are habitats, species, ecosystems and their functions and processes that are of conservation importance and could potentially be affected by the Scheme. Various characteristics contribute to a feature's importance including its rarity, diversity, size, population trend, distinctiveness, naturalness, fragility, typicalness, recorded history, potential value and intrinsic appeal.

² CIEEM (2018). Guidelines for Ecological Impact Assessment in the UK and Ireland. Terrestrial, Freshwater, Coastal and Marine. Chartered Institute of Ecology and Environmental Management, Winchester.

- 2020 walkover identified a GCN egg and confirmed presence. Subsequent HSI surveys were conducted on P1, P5, P6, P7, P9 and P10. Presence/likely absence surveys were conducted on P6 and P7, confirming a medium population of GCN within P7. P1 was dry during these surveys. No other further surveys were conducted.
- ii A preliminary ecological appraisal was conducted by MiddleMarch Environmental (RT-MME-153594-04) in 2020 of the western section of the Site. The habitats recorded within this section were similar to the 2024 update surveys, with some changes to the general management of the grassland. A ground level tree assessment (RT-MME_153594-05) was conducted which highlighted one tree to have a low potential to support roosting bats, and one tree to have a high potential to support roosting bats. HSI surveys were conducted on P5, P6, P7, P9 and P12 (RT-MME-154683). No other further surveys were conducted.

2 METHODOLOGY

2.1 Scope of the EclA

i The EclA has been undertaken as follows:

- Define the Study Area for the assessment, which considers the Zone of Influence³ (Zol) of the Scheme.
- Undertake desk and field-based assessments for designated sites, habitats and species to determine the ecological baseline for the Scheme within the Study Area.
- Determine the nature conservation importance of each ecological feature recorded during the desk and field-based assessments to determine which of those features are IEFs in the context of the EclA.
- Assess the potential impacts on IEFs because of the Scheme.
- Design suitable avoidance and mitigation measures to address potential impacts.
- Determine the significance of any residual effects and design suitable compensation measures to address significant residual effects; and,
- Identify opportunities for biodiversity enhancements including delivery of Biodiversity Net Gain (BNG).

2.2 Important Ecological Features

i The EclA has focused on the potential impacts to ecological features (habitats, species, ecosystems and their functions/ processes) that are considered important and potentially affected by the Scheme. The EclA has not carried out detailed assessments of features that are sufficiently widespread, unthreatened and resilient to impacts and which will remain viable and sustainable should the Scheme proceed as detailed in Section 1.

ii For this EclA, the following are considered IEFs requiring detailed assessment:

- Statutory designated sites.
- Non-statutory designated sites.
- Habitats and species of principal importance (HoPI / SoPI) for the conservation of biodiversity in England⁴.
- Irreplaceable habitats including ancient woodland and veteran trees.
- Individual habitat types or mosaics that may not qualify as HoPI but form an important part of ecosystems and their function.
- Legally protected species⁵
- Species of conservation concern, Red Data Book (RDB) species – UK⁶.
- Birds of Conservation Concern – UK⁷.

iii The EclA has also considered legally controlled plant species listed as invasive on Schedule 9 of the Wildlife and Countryside Act 1981 in Britain (e.g., Japanese knotweed, Himalayan balsam, giant hogweed).

2.3 Study Area

i Desk and field-based studies have been undertaken to establish the biodiversity baseline that may be impacted by the Scheme. The scale of the Study Areas varies dependent upon the ecology of the feature being assessed and its vulnerability to change resulting from construction and operation of the Scheme. Ecological features outside of the Study Area are unlikely to be affected by the Scheme and are not considered in this EclA.

³ The Zone of Influence is the area over which ecological features may be affected by biophysical changes because of the Scheme and associated activities.

⁴ Listed under S41 of the Natural Environment and Rural Communities Act 2006.

<http://publications.naturalengland.org.uk/publication/4958719460769792>.

⁵ Legally protected species are those listed on the Wildlife and Countryside Act 1981, The Conservation of Habitats and Species Regulations 2018, Protection of Badgers 1992.

⁶ Species Status Assessment project published by Joint Nature Conservation Committee (JNCC) in 1999.

<http://jncc.defra.gov.uk/default.aspx?page=3352>.

⁷ (Eaton MA, Aebischer NJ, Brown AF, Hearn RD, Lock L, Musgrove AJ, Noble DG, Stroud DA and Gregory RD (2015). Birds of Conservation Concern 4: the population status of birds in the United Kingdom, Channel Islands and Isle of Man.

- ii Table 1 summarises the Study Area for the Scheme.

Table 1. Background Records and Field Surveys Study Areas

Ecological Feature	Background Records Study Area ⁸	Field Survey Study Area ⁹
Designated Sites and Habitats	2 km	Within and adjacent to the Application Site
Great crested newt	2 km	250 m
Badger	2 km	30 m
Other protected and notable species	2 km	Within and adjacent to the Site where accessible.

2.4 Desk Study

2.4.1 Background Records

- i A desk study has been undertaken to obtain background records relevant to the Scheme and the EclA, including records of statutory and non-statutory designated sites and protected and notable species within the Study Areas detailed above in Table 1. The data obtained provides contextual information for the scope of field surveys, to aid the evaluation of field survey results, and to provide supplementary information where complete field survey coverage has not been possible.
- ii Data has been obtained from Leicestershire and Rutland Environmental Records Centre in June 2024.

2.4.2 Planning Policy

- iii To demonstrate how the Scheme accords with relevant national and local planning policy, the following have been reviewed as part of this assessment:
- National Planning Policy Framework (NPPF) 2023;
 - Hinckley and Bosworth District Council Local Plan 2009; and,
 - Leicestershire BAP 2016-2026.

2.5 Field Surveys

- i Field surveys have been designed to collect information on the habitats and species present that may be affected by the Scheme. The geographical areas across which field surveys have been undertaken are the areas over which ecological features are likely to be subject to impacts from the construction or operation of the Scheme if they are present and accounting for the Scheme design measures detailed in Section 1.
- ii Table 2 summarises the field surveys that have been undertaken to inform the EclA.
- iii Detailed methodologies for collection of field survey data, and any specific limitations and deviations encountered during these surveys, are presented in Appendix 2.

⁸ Distance measured from the Application Site Boundary.

⁹ Distance measured from the Application Site Boundary.

Table 2. Field Surveys undertaken to inform EclA

Ecological Feature	Survey Type	Date(s) of Survey(s)
Habitat Update	Preliminary ecological appraisal incl. condition assessment	10 July 2024
Great Crested Newt	eDNA	18 June 2024

- iv No other field surveys have been undertaken to support this EclA as they were considered unnecessary (see Section 3 for more details).

2.6 Assessment criteria

- i This EclA broadly follows CIEEMs Guidelines for Ecological Impact Assessment in the United Kingdom with the following clarifications specific to the Scheme.

2.6.2 Nature Conservation Evaluation

- ii Several criteria have become accepted as a means of assessing the nature conservation importance of a defined area of land which are set out in *A Nature Conservation Review*¹⁰ and include diversity, rarity and naturalness.
- iii For this EclA, the nature conservation importance or potential value of an ecological feature is determined within the following geographic context:
- International (Europe): such as Special Areas of Conservation (SAC) or Special Protection Areas (SPA).
 - National (England): such as Sites of Special Scientific Interest (SSSI);
 - Regional (*): such as populations of species which enrich biodiversity on a regional scale and whose loss would significantly affect the species national distribution.
 - County (Leicestershire): such as Local Nature Reserves (LNR) or populations of species which qualify for Local Wildlife Site (LWS) designation.
 - Local: undesignated ecological features such as old hedges, woodlands, ponds;
 - Site: the feature has some ecological importance, but is not of a scale warranting consideration outside of the boundaries of the Application Site itself; and
 - Negligible: the feature either has little or no importance for biodiversity, or is considered sufficiently widespread, unthreatened, and resilient to impacts and will remain viable and sustainable.

**A geographical area for Regional importance has not been defined. A feature is of 'Regional' importance when it is of greater geographical importance than within Leicestershire, but does not reach the threshold to be of National importance.*

- iv Ecological features of Local or higher nature conservation importance are considered IEFs requiring detailed assessment. In addition, for the EclA to demonstrate how the Scheme will comply with statutory requirements and policy objectives for biodiversity, some ecological features are considered IEFs even if they are not of Local or higher nature conservation importance. These are features that are protected by national legislation and include:
- Badgers, legally protected through the Protection of Badgers Act, 1992;
 - All nesting birds, legally protected through the Wildlife and Countryside Act, 1981; and,
 - Non-native invasive plant species, listed on Schedule 9 of the Wildlife and Countryside Act, 1981.

¹⁰ Ratcliffe, D. (1977). *A Nature Conservation Review*.

2.6.3 Temporal scope

- v Potential impacts on IEFs have been assessed in the context of how the predicted baseline conditions might change between the surveys and the start of construction.
- vi Long-term trend information was used to make judgements about the significance of an impact or effect on the conservation objectives or condition of a designated site, or the conservation status of a habitat or species (for example a species with a long term, national population decline may be more susceptible to impacts attributable to the Scheme). Where this information was available it is referenced in Section 4.
- vii A high-level construction programme for the Scheme is outlined in Section 1. Once construction is complete, this EclA has assumed that the operational phase of the Scheme will last for the foreseeable future.

2.6.4 Approach to mitigation

- viii Where impacts on IEFs are predicted, the approach to mitigation engages the following hierarchy:
 - Avoid features where possible.
 - Minimise impact by design, method of working or other measures, for example by enhancing existing features; and,
 - Compensate for significant residual impacts (e.g., by providing suitable habitats elsewhere).
- ix The highest level of the hierarchy has been applied where possible. Only where this cannot reasonably be adopted have lower levels been considered. The rationale for the proposed level of mitigation has been detailed in Section 4, including sufficient detail to show that these measures are feasible and will be provided by the Applicant.
- x NPPF, Paragraph 186 (d) (2023) states that:

“development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate”.
- xi Throughout this EclA, the potential to secure biodiversity enhancement, and therefore overall net gain, has been considered.

2.7 Limitations to the Assessment

- i Due to cattle being present within the eastern field, some areas along the northern and southern peripheries were not subject to a detailed survey. Given the characteristics of the habitats, this is not considered to impact upon the findings of the survey.

3 BASELINE CONDITIONS AND NATURE CONSERVATION IMPORTANCE

- i The following sections provide a summary of the baseline conditions relevant to the Scheme and the assessment of potential impacts of the Scheme on biodiversity. The baseline is based on the results of the desk and field-based studies undertaken within the Study Area to inform this EclA.
- ii Regarding background data, 'recent' records are considered to be those no older than 10 years from the date of the desk study. Records outside of this period are historical and have only been reported where more recent records do not exist. Exceptions to this are detailed in 3.2 and 3.3.
- iii Ecological features which are present or considered likely to be present within the Study Area have been assigned a geographical scale of nature conservation importance in line with the criteria detailed in Section 2. Nature conservation importance is summarised in Table 6.

3.2 Designated Sites

3.2.1 Desk Study

- i Table 3 summarises the designated sites situated within the Study Area.

Table 3. Designated Sites within Study Area

Designated Site	Reason for Designation	Location of Designated Site ¹¹	Nature Conservation Importance
Ashby Canal	Designated due to its natural heritage, site of importance for aquatic plants.	1.1km NW	SSSI
Veteran Ash – Market Bosworth Station Road	No description	Within the Site	Potential LWS
Sedgemere, Market Bosworth	No description	0.04km SW	Potential LWS
Kyngs Golf Course Ponds and Tree	No description	0.1km N	Candidate LWS
Market Bosworth Hedge 1	No description	0.1km S	Potential LWS
Bosworth Marina Wetland	No description	0.15km W	Candidate LWS
Ashby Canal – Market Bosworth	No description	0.2km SW	Candidate LWS
Silk Hill Mature Trees	No description	0.4km E	Candidate LWS
Market Bosworth Hedge 2	No description	0.4km S	Potential LWS
Shenton Lane Hedge, Market Bosworth	No description	0.7km SE	Potential LWS

¹¹ Where designated sites are situated outside of the Application Site boundary, the distance and direction is given at the closest point of the designated site from the Application Site

Designated Site	Reason for Designation	Location of Designated Site ¹¹	Nature Conservation Importance
Stream along Nailstone/Carlton Parish Boundary	No description	0.7km N	Candidate LWS
Carlton Railway Embankments by Sewerage Works	No description	0.9km NW	Potential LWS
Semi-Improved Grassland	No description	0.9km NW	Potential LWS
Swan House Horse Chestnuts, Market Bosworth	No description	1km E	Candidate LWS
Pollarded Willow, - Carlton Road Junction	No description	1.2km NW	Potential LWS
Pond at Spinney Grange, Carlton	No description	1.3km NE	LWS
Spinney Hedgerow	No description	1.3km W	Potential LWS
Bosworth Road Hedgerows	No description	1.4km W	Potential LWS
Hollow Ash, Carlton	No description	1.4km N	Potential LWS
Market Bosworth Country Park Grassland and Pond	No description	1.4km E	Candidate LWS
Stream at Spinney Grange, Carlton	No description	1.5km NE	LWS
Sutton Lane Oak	No description	1.7km SE	Candidate LWS
Bosworth Road Hedgerow**	No description	1.8km W	Potential LWS
Sheepy/Shackerstone Parish Boundary Stream	No description	1.9km NW	Candidate LWS
Bosworth Road/Deeping Lane/A447 Hedgerows, Verges and Trees	No description	1.9km E	Potential LWS
Oak 1, Parish Boundary	No description	2km N	Potential LWS
Ash, Parish Boundary	No description	2km N	Potential LWS
Oak 2 – Parish Boundary	No description	2km N	Potential LWS

3.3 Habitats

3.3.1 Desk Study

- i Table 4 summarises relevant records of HoPI¹², ancient woodlands, and protected and/or notable¹³ flora¹⁴ (including veteran trees¹⁵) within the Study Area.

Table 4. HoPI, Ancient Woodland and Protected and Notable Flora within Study Area

Habitat Feature	Habitat Type	Location of Habitat
Lowland Fens	HoPI	1km NE, 1.8km NW
Old Covert	HoPI	1.5km SE
Spring Wood	HoPI	2km SE
Deciduous Woodland	HoPI	Nearest parcel is located at the Site, additional 64 parcels are located N, NE, NW, S, SE, SW, E & W of the Site
Wood-pasture and Parkland	HoPI	0.9km East
No Main Habitat but Additional Habitat Exists	HoPI	1 km NE
Bluebell	Schedule 8	0.7km NE

3.3.2 Field Survey

- ii Table 5 summarises the results of the habitat survey and detailed botanical surveys. Habitats are shown on Figure 2, with specific features highlighted by TNs.

¹² Priority habitats are taken as principal habitats for the conservation of biodiversity listed under Section 41 of the Natural Environment and Rural Communities Act 2006.

¹³ Protected and/or notable flora are taken as principal flora for the conservation of biodiversity listed under Section 41 of the Natural Environment and Rural Communities Act 2006; any flora listed in an IUCN Red Data Book; and any other flora listed under the County Rare and Scarce Plants in Buckinghamshire list (BMERC, 2012).

¹⁴ For this assessment 'flora' includes: vascular and non-vascular plants, fungi and lichens.

¹⁵ For this assessment the definition of a veteran tree is taken from Annex 2 of the National Planning Policy Framework (glossary): "A tree which, because of its great age, size or condition is of exceptional value for wildlife, in the landscape, or culturally."

Table 5: Habitats within Survey Area

Habitat (UKHab Code)	Description	Area (ha)/Length (m)	Proportion of Application Site (%)	Photograph(s)
Modified grassland (g4)	Modified grassland was also present along the western field, which has been mown recently prior to the survey. The sward was less than 5cm and a full species list was not possible due to the way the habitat is managed. The grassland consisted predominantly of perennial ryegrass, with frequent cocks foot. Occasionally present was broadleaved dock and creeping buttercup.	3.9ha	48.51	
Modified grassland (g4) Secondary codes: 16: Tall Forbs 101: Cattle grazed	Modified grassland was present on the eastern field, which was subject to cattle grazing at the time of the survey. This was short sward, with nettle tall forbs locally abundant. The grassland consisted of dominant perennial ryegrass, with frequent cocks foot, Yorkshire fog, dandelion and broadleaved dock. Crested dog tail and creeping buttercup were occasionally present.	2ha	26.09	

Habitat (UKHab Code)	Description	Area (ha)/Length (m)	Proportion of Application Site (%)	Photograph(s)
Other neutral grassland (g3c)	Neutral grassland was present in the central field at the Site, which was long sward (approx. 30 – 45cm) and not recently managed. The grassland was dominated by Yorkshire fog, with abundant meadow grasses and perennial rye. Meadow buttercup, timothy, crested dog tail, rough meadow grass, creeping bent grass, sweet vernal grass and tufted hair grass were all occasionally recorded within the sward.	1.6ha	20.37	
Other broadleaved woodland (w1g)	a small woodland area was present at the south-eastern corner of the Site. This consisted mostly of mature sycamore trees, with occasional oak, ash and Scot's pine. Holly and horse chestnut saplings were present. The understorey was dominated by ivy, with holly and garlic mustard present.	0.18ha	2.36	

Habitat (UKHab Code)	Description	Area (ha)/Length (m)	Proportion of Application Site (%)	Photograph(s)
Developed Land / Sealed Surface (u1b)	Hardstanding was present at the Site, forming the access roads along the west and eastern fields.	0.06ha	0.77	Not Available
R1g Other standing water	A pond was present within the central field. This was shallow and choked with bulrush. The area immediately surrounding the pond was dominated by soft rush.	0.03ha	0.46	

Habitat (UKHab Code)	Description	Area (ha)/Length (m)	Proportion of Application Site (%)	Photograph(s)
Other native hedgerow (h2a6) Secondary codes: 11: Hedgerow with trees	Hedgerow 1 was located along the western periphery of the Site, and was approximately 3m in height and 2m in width. The hedgerow was somewhat managed, but not in the recent season. Hawthorn dominated the hedgerow, with abundant blackthorn. Occasionally present was rose and elder. Giant hogweed was present in two areas along the hedgerow, which is a Schedule 9 invasive species (WCA, 1981). Hedgerow 2 was located along the southern periphery of the Site. The hedgerow was unmanaged and was approximately 3m in height and 2m in width. It consisted predominantly of hawthorn, with occasional elder and sycamore. Hedgerow 3 was located along the eastern periphery of the western field, and was approximately 4m in height and 3m in width, unmanaged. The species consisted of dominant blackthorn, with abundant hawthorn. Two semi-mature ash standards were present. Hedgerow 4 was located along the northern periphery, adjacent to the farm, north of the Site. This was approximately 4-5m in height and 3m in width., unmanaged, and soon to become dense scrub. This was dominated by hawthorn, with abundant blackthorn. Occasionally present was field maple and grey willow. Bramble and hedge bindweed was present within. Hedgerow 6 was located to the south of the Site, bordering the woodland. This was managed and was approximately 2m in height and 1.5m in width. The hedgerow was dominated by hawthorn, with occasional sycamore.	995m	N/A	

Habitat (UKHab Code)	Description	Area (ha)/Length (m)	Proportion of Application Site (%)	Photograph(s)
Non-native and ornamental hedgerow (h2b)	A non-native hedgerow (H5) was present at the north-eastern corner, associated with the residential house adjacent. This was approximately 8m in height and 2m in width, dominating entirely by Leyland cypress.	24m	N/A	
Tree (g4 200, 203, 204, 216)	One large veteran ash tree was present within the eastern field of the Site, which is designated as an LWS. Multiple trees bordered the Site and was also present along the track in the western field. These consisted of hawthorn, sycamore, oak, horse chestnut, field maple and Norway spruce.	0.228	8.25%	

Habitat (UKHab Code)	Description	Area (ha)/Length (m)	Proportion of Application Site (%)	Photograph(s)
Target Notes TN1 – Horsetail TN2 – Giant Hogweed	Horsetail was present within the western field. This is considered to be an invasive species, however, is not listed as a Schedule 9 of the WCA (1981) plant species. Giant hogweed was present within H1, dominating two areas. This is a WCA (1981) Schedule 9 invasive species.			

3.4 Great Crested Newt (and other amphibians)

3.4.1 Desk Study

- i There were 9 records of GCN within the Study Area, the closest of which were located within P1 at the Site.
- ii There is one pond at the Site (P1), and three ponds adjacent to the Site (P2, P3 and P4). There were 18 ponds and 8 ditches present within 500m of the Site boundary.
- iii All waterbodies are shown on Figure 3.
- iv Habitat suitability index (HSI) assessments were conducted on Ponds 1, 5, 6, 7, 9 and 10 in 2020 by RammSanderson (RSE_3676_01_V1), in association with the eastern half of the Site. P10 was assessed as being 'poor', P1 as 'average', P6 and P9 as 'good' and P7 as 'excellent'. Access was not permitted to ponds P3, P4, P11 and P16. A full suite of presence/likely absence surveys was conducted on P6 and P7. P6 had a population of smooth newts within. P7 had a medium population of GCN recorded. P1 was dry during the first presence/absence survey was conducted.
- v MiddleMarch Environmental (RT_MME_154683) conducted HSI surveys in 2021 in association with the western half of the Site. P5 was assessed as being 'poor', P6, P9 and P12 were assessed as being 'good' and P7 was assessed as being 'excellent'.

3.4.2 Field Survey

- vi Pond 1 has records of GCN present, the most recent from 2018, and an egg search during confirmed GCN presence in 2020 by RammSanderson. Therefore, a population of GCN will be present within P1. The long sward grassland and hedgerow habitats provided opportunities for terrestrial phase GCN and therefore this species is likely to persist within the Site.
- vii Pond 5 and 6 were subject to an eDNA survey in June 2024, which had a negative result for GCN. This is likely due to the presence of fish stocks within these waterbodies.
- viii Access was not granted for any other surrounding waterbodies, however it is likely that some of these have GCN present during breeding phase.
- ix GCN within the Site are therefore of a District nature conservation importance.

3.5 Reptiles

3.5.1 Desk Study

- i There were 14 records of grass snake and 1 record of common lizard within the Study Area, the closest of which was a grass snake, located 250m south-west of the Site.

3.5.2 Field Survey

- ii The majority of the Site, being regularly mown and grazed, was unsuitable for reptiles, with populations known to be few in intensively farmed areas. The hedgerows and central field were suitable for reptiles, however, immediately being surrounded by intensely managed habitat decreases the likelihood of any large assemblages to be present. and whilst these locations are considered suitable they are unlikely to support a core population of reptiles, However, their individual presence cannot be ruled out at the Site.
- iii Reptiles within the Application Site are therefore of Site nature conservation importance.

3.6 Birds

3.6.1 Desk Study

- i There were five records of notable bird species recorded within the Study Area. One species, greenfinch, was on the Conservation Concern 5 (BoCC5) Red list (Stanbury, 2021) and 4 species, mallard, morwen, meadow pipit and woodpigeon, on the BoCC5 Amber list.

3.6.2 Field Survey

- ii The long sward grass, hedgerows, trees, and pond were suitable to support nesting birds. It is likely that common garden and farmland species nest within the Site, it is unlikely that more notable species, or larger populations of birds would utilise the Site, due to the intensely farmed habitat forming the majority of the Site. The immediate surroundings of the Site were also formed of highly managed grasslands.
- iii Birds within the Site are therefore of Site nature conservation importance.

3.7 Badger

3.7.1 Desk Study

- i There were 21 records of badgers recorded within the Survey Area.

3.7.2 Field Survey

- ii No evidence of badger was recorded within the Study Area. However, the hedgerows and woodland provide sett building opportunities, with the wider Site providing commuting and foraging habitat. It is likely that badgers are commuting and foraging through the Site.
- iii Badgers within the Site are therefore of Site nature conservation importance.

3.8 Bats

3.8.1 Desk Study

- i There were many recent records of bats within the Study Area, relating to brown long-eared bat, common pipistrelle, soprano pipistrelle, Nathusius's pipistrelle, daubenton's, noctule, whiskered/Brandt's and Leisler's. The closest bat species was an unknown bat species roost, located within the residential development, 7m south of the Site.

3.8.2 Field Survey

Trees

- ii Three trees within the Survey Area, located within the biodiversity area, offered roosting opportunities for bats. T1, T2 and T3 all had features which could support multiple bats, and therefore they were assessed as 'PRF-M'. Further details on the assessment of each tree can be found in Appendix 3.
- iii Roosting Bats within the application Site are of a Local conservation importance and these trees are to be retained within the Scheme.

Activity

- iv The hedgerows, woodland and grassland forming the Site likely provide opportunities for foraging bats, with connectivity to the surrounding environment to the north, and therefore was assessed as having a 'moderate' suitability. The Scheme will not, however, result in large-scale loss or fragmentation of high suitability foraging/commuting habitats for bats; the one-woodland at the Site and Site hedgerows will be retained, as well as landscape area to the east created, which will maintain any potential commuting routes within the area. A lighting strategy, following guidelines set out in Bat and Lighting in the UK (BCT and ILP, 2018) will be implemented during the construction and operation phases. Given the above, activity surveys are considered unnecessary to support this EclA.
- v Foraging and commuting bats are of a Local conservation importance.

3.9 Otter/Water Vole

3.9.1 Desk Study

- i Seven records of otter were returned within the study area, the closest of which was located 0.22km west of the Site.

3.9.2 Field Survey

- ii No suitable habitat for water vole was present at the Site or within 100 m. As such, water vole within the Application Site are of negligible nature conservation importance.
- iii WC1, the Ashby de la Zouch Canal, is located over 100 m from the Site boundary, across an active railway, therefore any Otter utilising this watercourse is unlikely to be impacted by the Scheme. P5 and P6 are fishing ponds and are located approximately 50 m north of the Site. These are subject to recreational disturbance with the compounding affect of intensive vegetation management, preventing the use of otter breeding, rearing or resting. They were therefore scoped out for further otter survey and otter will not be impacted by the Scheme.
- iv As such, otter within the Site are of negligible nature conservation importance.

3.10 Aquatic Invertebrates and Fish

3.10.1 Desk Study

- i There were no recent records of aquatic invertebrates or fish returned within the survey area.

3.10.2 Field Survey

- ii Pond 1 within the Site, is considered unlikely to have large assemblages of fish, with water levels fluctuating throughout the year, and none found during the HSI surveys. It is likely that some aquatic invertebrates such as dragonflies are present, but the pond lacked suitable habitat for species such as white clawed crayfish.
- iii As such, aquatic invertebrates within the Site are of a Site nature conservation importance.
- iv Fish are considered to be of a negligible nature conservation importance.

3.11 Terrestrial Invertebrates

3.11.1 Desk Study

- i There are no recent records of notable invertebrate species within the Study Area.

3.11.2 Field Survey

- ii The intensely grazed and managed habitats at the Site are unlikely to support any individually notable species or notable assemblages of invertebrates. The central field is likely to support some invertebrate species, as this is less intensely managed.
- iii As such, invertebrates within the Site are of a Site nature conservation importance.

3.12 Other Notable Species

3.12.1 Desk Study

- i There are no recent records of notable species within the Study Area.

3.12.2 Field Survey

- ii The habitats at the Site such as hedgerows, long sward grassland, pond and woodland offered suitable foraging, commuting and refuge seeking habitat for brown hare, common toad and hedgehog.
- iii Notable species within the Site are therefore of Site nature conservation importance.

3.13 Future Baseline

- i The management of the Site, which includes regular mowing and grazing of the grasslands is unlikely to change between the time the surveys were undertaken and the time the development of the Site would take place. Therefore, the baseline described above in Sections 3.2 to 3.9 is not expected to change prior to development of the Site.

3.14 Summary of Nature Conservation Importance

i Table 6 summaries the features that have been recorded in the Study Area and their nature conservation importance.

Table 6. Summary of Nature Conservation Importance

Ecological Feature	Geographical Scale of Nature Conservation Importance
Veteran Ash – Market Bosworth Station Road	County
Sedgemere, Market Bosworth	
Kyngs Golf Course Ponds and Trees	
Great Crested Newts	District
Bats	Local
Habitats	Site
Birds	Site
Reptiles	Site
Badgers	Site
Other Notable Species	Site
Aquatic Invertebrates	Site
Terrestrial Invertebrates	Site
Otter, Water Vole, Fish	Negligible

4 IMPACT ASSESSMENT, AGREED MITIGATION MEASURES AND SIGNIFICANCE OF RESIDUAL EFFECTS

- i This Section characterises the impacts of the Scheme on IEFs during the construction and operation phases, sets out agreed avoidance and mitigation measures, and assesses the significance of the residual effects (both positive and negative) of the Scheme on these features. Where significant residual effects will occur, appropriate compensation measures are identified to offset those effects. Enhancements agreed by the Applicant are set out in Section 5.
- ii The Applicant has agreed that the general mitigation measures identified in Section 4.1 onwards will be incorporated into the detailed design proposals for the Scheme and implemented as part of the overall development of the Site.

4.1 Veteran Ash – Market Bosworth Station Road Candidate LWS (CLWS)

4.1.1 Construction Impacts and Mitigation

- i T1, Veteran Ash – Market Bosworth Station Road CLWS, is to be retained within the designated biodiversity area enhanced as part of the Scheme. There is a risk that during landscaping works, impacts to the RPZ of the tree could occur. To address this risk, suitable buffer fencing should be utilised around the tree during the construction phase.
- ii There is a risk that during construction, impacts to the designated site could occur through deposition of dust or spillage of pollutants such as engine oil. To address this risk, standard measures to prevent impacts from pollution through construction related activities would be applied through a Construction and Ecological Management Plan (CEMP).
- iii The main development works will not take place within 80m of T1 and therefore any artificial light being utilised will have a negligible impact on the tree and its immediate vicinity. Any soft landscaping works to take place near T1, should only be undertaken in daylight hours when artificial lighting is not required. If this is unavoidable, then a sensitive lighting strategy will need to be implemented as part of a precautionary method of working, which should be detailed within a CEMP.

4.1.2 Operation Impacts and Mitigation

- iv No additional pressures are expected to occur to the CLWS during the operation of the Scheme. The tree is already subject to trampling pressures from cattle, and will be within the designated biodiversity area, closed off to the public. Therefore, where this can be maintained, the habitat will be enhanced.
- v There is no of increased artificial light during operation phase, as the designated biodiversity area will be a dark zone.

4.1.3 Residual Effects and Compensation Measures

- vi No significant residual effect would occur to the CLWS and no compensation is proposed.

4.2 Sedgemere, Market Bosworth Potential LWS (PLWS)

4.2.1 Construction and Operation Impacts and Mitigation

- i No direct land take would occur within the PLWS. The PLWS is currently subject to a residential development and is therefore being directly impacted by this, and has since been destroyed. Therefore, it is not anticipated that the Scheme will incur any further impacts to the PLWS.

4.2.2 Residual Effects and Compensation Measures

- ii There will be no significant residual effect would occur to the PLWS as it is currently subject to a separate development proposal , therefore no compensation measures are proposed.

4.3 Kyngs Golf Course Ponds and Trees Candidate LWS (CLWS)

4.3.1 Construction Impacts and Mitigation

- i No direct land take would occur within the CLWS. There is a risk that during construction, impacts to the designated site could occur through deposition of dust or spillage of pollutants such as engine oil as the designated site is only 10m from the Site. To address this risk, standard measures to prevent impacts from pollution through construction related activities will be included within a CEMP to support the development.

4.3.2 Operation Impacts and Mitigation

- ii No major impacts are expected occur to the CLWS during the operation of the Scheme. The area surrounding the CLWS is to become a multi-purpose golf house with associated car parking and holiday homes (24/00513/FUL), which is likely to have private access, reducing the likelihood of residents accessing the CLWS and reducing additional footfall.

4.3.3 Residual Effects and Compensation Measures

- iii No significant residual effect would occur to the CLWS and no compensation is proposed.

4.4 Great Crested Newts

4.4.1 Construction Impacts and Mitigation

- i During the construction phase, the removal of P1 and suitable terrestrial habitat will be undertaken. The current Scheme includes the creation of a designated biodiversity area, with three wildlife ponds to be located within the north-eastern corner. To address the risk to the current GCN population residing within P1, a district level licence (DLL) will be sought from Natural England prior to the development taking place. As part of the DLL, the GCN population within P1 will be translocated to the new wildlife ponds. An Impact assessment of conservation payment certificate (IACPC) has been applied for.

4.4.2 Operation Impacts and Mitigation

- ii During operation, the three wildlife ponds will be subject to a management strategy to ensure success of the ponds and the translocated GCN population. This will be detailed within the district level licence and will form part of the Habitat Management and Monitoring Plan (HMMP) for the biodiversity impact assessment.

4.4.3 Residual Effects and Compensation Measures

- iii To be detailed within the district level licence.

4.5 Bats

4.5.1 Construction Impacts and Mitigation

- i Three trees (T1, T2 and T3) were observed as having preliminary roosting features which could support multiple bats (PRF-M). These trees are to be retained within the Scheme, and will be located within the designated biodiversity area. However, there is a risk that during soft landscaping works, impacts to the RPZ of the trees could occur, which could disturb any roosting bats which may be utilising the trees. To address this risk, suitable buffer fencing should be utilised around the tree during the construction phase.
- ii There is a risk that during the construction phase increase of artificial light could impact upon bat species which could be utilising the trees as roosts, or utilising the linear habitats for foraging and commuting. To address this risk, a lighting strategy sympathetic to nocturnal fauna will be implemented into the design, to be fully detailed within a CEMP.
- iii Sensitive lighting at the Site should follow the guidance set out in Bats and Lighting in the UK (BCT and ILP, 2018). Therefore, associated Site lighting proposals must consider the following:
 - Avoid lighting where possible;
 - Install lamps and the lowest permissible density;

- Lamps should be positioned to direct light to avoid upward spill onto any green corridors that could be used by commuting bats or features with bat roost potential;
- LED lighting – with no/low UV component is recommended;
- Lights with a warm colour temperature – 3000K or 2700K have significantly less impact on bats;
- Light sources that peak higher than 550nm also reduce impacts to bats; and
- The use of timers and dimmers to avoid lighting areas of the site all night is recommended.

4.5.2 Operation Impacts and Mitigation

- iv There is a risk that during the operation phase increase of artificial light could impact upon bat species which could be utilising the trees as roosts, or utilising the linear habitats for foraging and commuting. To address this risk, a lighting strategy sympathetic to nocturnal fauna will be implemented into the design as within section 4.5.1, to be detailed fully within a CEMP.

4.5.3 Residual Effects and Compensation Measures

- v To compensate for the residual impacts of bats within the immediate Site, bat boxes should be integrated into the proposed residential housing and placed onto retained mature trees.

4.6 Habitats

4.6.1 Construction Impacts and Mitigation

- i Development of the Scheme would result in the loss of modified grassland, other neutral grassland, a pond (non-priority habitat), minimal trees and a native hedgerow. These habitats collectively are of Site nature conservation importance and will support local farmland and garden bird species.
- ii Standard measures to control pollutants, dust and other contaminants should be implemented. Works should adhere to CIRCA C736F guidelines and silt fencing/silt bed matting should be installed during Site clearance and construction phases.

4.6.2 Operation Impacts and Mitigation

- iii The retained grassland and hedgerows on Site within the residential area are likely to be impacted during the operation of the Scheme, with increased footfall and pollution naturally occurring from the residential developments.
- iv The impacts upon the woodland, hedgerows, trees, ponds and grassland within the designated biodiversity area should be minimally impacted, with this area being closed off from the public if maintained. Full details of the creation and enhancement of these areas will be covered in the HMMP for the biodiversity impact assessment.

4.6.3 Residual Effects and Compensation Measures

- v Creation of habitats within the Site, as well as an additional area of offsetting land outside of the Site will aim to deliver a net gain for biodiversity, significant at the Site scale, or alternatively, statutory credits will be sought.

4.7 Birds

4.7.1 Construction Impacts and Mitigation

- i Clearance of vegetation during the nesting bird season (taken to be March to August, though with some seasonal and species variations) would risk damaging or destroying active bird nests. To prevent this, clearance of vegetation would be undertaken outside of the nesting bird season. If this isn't possible, a check of vegetation to be cleared would be undertaken within 24 hrs of the clearance taking place. If any active bird nests were discovered, they would be left in place with a buffer of vegetation surrounding them until such time as the young had fledged or the nest was no longer active.

4.7.2 Operation Impacts and Mitigation

- ii The increase of residential houses arising from the Scheme, will likely result in an increase in the numbers of domesticated cats and dogs. Domesticated cats are often the largest predator within an ecosystem, impacting

through direct predation and additional impacts through increases in predation fear (Beckerman, et al., 2007). Whilst not considered to be significant on a national scale, domestic cats in particular may be influential on local bird populations, as well as any dogs not kept on leads.

- iii To reduce the residential effects, leaflets should be included within welcome packs, educating residents on the impacts of roaming cats, and dogs off lead. This should include information on the designated biodiversity area, and ways to reduce residential impacts to these areas.

4.7.3 Residual Effects and Compensation Measures

- iv To compensate for the residual impacts of birds within the immediate Site, bird boxes should be integrated into the proposed residential housing and placed onto retained mature trees.

4.8 Reptiles

4.8.1 Construction Impacts and Mitigation

- i There is a risk that residual individuals passing through the Site could be impacted by the construction phase of works, during vegetation clearance. As there remains the residual risk for reptile to pass through the Site, utilising features such as the hedgerow boundaries and neutral grassland, a careful works procedure with regard to reptiles is recommended for Site vegetation clearance which should be included within a CEMP. The actual need for such clearance will be minimal due to the retention of the hedgerow habitats etc, however, where this is required, works should be conducted in temperatures above 11 °C, ideally in the late morning to afternoon, when reptiles are most active. The habitats should first be cut to a height of 15-20cm by a tractor progressing at walking pace only. The area should be left for 24-48hrs and then cut to 5cm using the same method, working in the same direction as the previous cut. This will allow any reptiles present to disperse into the wider environment unharmed. In the extremely unlikely event a reptile is seen during these works, they should be allowed to escape unharmed at their own pace. Only a trained ecologist should attempt to move reptiles by hand. If multiple reptiles are encountered, works should cease, and the methodology be re-evaluated. Following this precautionary methodology reduces the likely impacts upon reptile to negligible.

4.8.2 Operation Impacts and Mitigation

- i The increase of residential houses arising from the Scheme will likely result in residential pressures which could impact upon individual reptiles. However, the designated biodiversity area will remain largely unaffected by the public provided appropriate fencing can be maintained. Therefore, limited impacts are expected to occur to reptiles during the operation of the Scheme.

4.8.3 Residual Effects and Compensation Measures

- ii No significant residual effect would occur to reptiles provided that compensation is created within the designated biodiversity area, such as refugia.

4.9 Badgers

4.9.1 Construction Impacts and Mitigation

- i There is a risk that commuting and foraging badgers may be present at the Site, and therefore impacted by construction phase works. To address this risk, precautionary measures are recommended to reduce the impact of any mammals during the construction phase. These precautions are:
 - Mammal ladders (such as a plank) or earth ramps to be placed in any open excavations at the end of each day;
 - Cap off any open pipes at the end of each day;
 - Cover any open holes, or install mammal ladders or earth ramps in any open excavations at the end of each day to prevent animals from becoming trapped;
 - Keep all fuel and other harmful substances in a locked area;

- Ensure any spillages are treated with spill kits;
- Night work should be avoided where possible, and any flood lighting should face away from the Site boundaries; and
- If any fresh sett digging is observed notify an ecologist immediately and leave a 30m buffer around the area until an assessment can be made.

4.9.2 Operation Impacts and Mitigation

- ii No impacts are expected occur to badgers during the operation of the Scheme

4.9.3 Residual Effects and Compensation Measures

- iii No significant residual effect would occur to badgers and no compensation is proposed.

4.10 Other Notable Species

4.10.1 Construction Impacts and Mitigation

- i There is a risk that commuting and foraging hedgehog, brown hare and common toad may be present at the Site, and therefore impacted by construction phase works. To address the risk to commuting and foraging mammals, precautionary measures within 4.9.1 should be adhered to. As part of the district level licence for GCN, compensatory and mitigation measures will also support common toad which may reside within the Site.

4.10.2 Operation Impacts and Mitigation

- ii During the operation phase, there is a risk that hedgehog commuting in particular may become fragmented. To address this risk, and to enable hedgehogs to move freely across the Site, small 15x15 cm gaps should be left at the bottom of any new fencing.

4.10.3 Residual Effects and Compensation Measures

- iii No significant residual effect would occur to hedgehogs provided that freedom of movement is maintained. Refugia could also be provided within the designated biodiversity area to reduce impacts.

4.11 Aquatic Invertebrates

4.11.1 Construction Impacts and Mitigation

- i There is a risk that some aquatic invertebrates may be present within P1, and therefore impacted by construction phase works during its removal. The current Scheme includes the creation of a designated biodiversity area, with three wildlife ponds to be located within the north-eastern corner.

4.11.2 Operation Impacts and Mitigation

- ii The created wildlife ponds within the designated biodiversity area will be fenced off from the public, and should not be subject to residential pressures. Therefore, no significant impacts are expected to occur to aquatic invertebrates during the operation phase.

4.11.3 Residual Effects and Compensation Measures

- iii No significant residential effects would occur to aquatic invertebrates, with the designated biodiversity area enhancing the suitable habitats on Site.

4.12 Terrestrial Invertebrates

4.12.1 Construction Impacts and Mitigation

- i There is a risk that some terrestrial invertebrates may be present within the Site, particularly within the less managed central field, and therefore impacts by construction phase works during its removal and landscaping.

To address the risk of terrestrial invertebrates residing within the central field, a phase vegetation clearance should be conducted, to be detailed within a CEMP.

4.12.2 Operation Impacts and Mitigation

- ii The current Scheme includes the creation of wildflower meadow neutral grassland and orchards within the designated biodiversity area, some of which will have no public access. Therefore, it is not anticipated that any significant impacts will occur to terrestrial invertebrates during the operation phase.

4.12.3 Residual Effects and Compensation Measures

- iii No significant residential effects would occur to terrestrial invertebrates, with the designated biodiversity area enhancing the suitable habitats on Site.

4.13 Invasive Non-Native Floral Species

4.13.1 Construction Impacts and Mitigation

- i There is a risk that giant hogweed present within H1 adjacent to the Site boundary could be spread during construction phase of the works. To address this risk, the giant hogweed should be treated and eliminated by appropriately trained professionals, which is to be fully detailed within a CEMP, along with suitable standoff zones and continued management.

4.13.2 Operation Impacts and Mitigation

- ii There is a risk that treated giant hogweed may re-emerge within the Site during the operation phase. To address this risk, the treated areas should be monitored by appropriately trained professionals for 2 years, which is to be fully detailed within a CEMP.

4.13.3 Residual Effects

- iii No significant residual effect would occur to invasive non-native floral species.

4.14 Cumulative Impact Assessment

4.14.1 Sedgemere Station Road Market Bosworth Nuneaton Leicestershire CV13 OPG

Residential development of 73 dwellings with associated access and public open space (21/00379/FUL)

- i The Sedgemere development, located approximately 50 m south-west of the Site, has recently begun development. GCN were considered to be likely present at the Site, as ponds within 250 m were tested positive for GCN. Therefore, an EPS licence was recommended, as well as mitigation strategies for GCN and grass snake during the construction phase. An outlier badger sett was present on Site and will be subject to a licenced closure. Water vole was found to be present within the watercourse adjacent to the Sedgemere development, and therefore suitable mitigation was proposed such as dog/cat proof fencing. A biodiversity net gain was not achieved at this Site and it is not clear if a credit purchasing route was taken.

4.14.2 Land off Station Road Market Bosworth Leicestershire.

Hybrid planning application seeking full planning permission for residential development of 138 dwellinghouses along with landscaping, public open space, drainage infrastructure and new access following demolition of two existing dwellinghouses; and outline planning permission (all matters reserved except for point of access) for 0.55ha of employment uses (Classes E (g) (i, ii and iii), B2 and B8)

- ii This development was validated on 29th August 2024 and is located adjacent south of the Site. An ecological impact assessment was conducted where mitigation was proposed commuting and foraging badger, a lighting strategy for commuting/foraging bats, surveys for nesting birds during vegetation clearance and an ECoW for GCN and Reptile. No licences were recommended for any species for this development. A biodiversity net gain assessment was conducted, resulting in a 10% habitat gain and 56% hedgerow gain.

4.14.3 Kyngs Golf And Country Club Station Road Market Bosworth Nuneaton Leicestershire CV13 ONP*Erection of 4 holiday lodges and associated works (resubmission of 24/00027/FUL)*

- iii This development is still awaiting validation and is located adjacent north of the Site. An ecological impact assessment has not yet been conducted for this development, and therefore impacts cannot be fully assessed in cumulation. A biodiversity net gain assessment was conducted, resulting in a 16.77% net gain in habitat units and a 18.67% gain in hedgerow units.

4.14.4 Cumulative Impacts with the Scheme

- iv The above three developments are considered most likely to act in combination with the Scheme, given their proximity and development timelines. The developments above will lead to a permanent habitat loss of grassland, hedgerow, ponds and wooded areas to varying degrees, however two of the three have proposed net gains. These projects will also result in increases to noise and lighting pollution during the construction and operation phase of these projects, with impacts to bats and other protected species which could act in-combination with the proposed development to elevate impact significance.
- v Considering the cumulative impacts to habitats, birds, badgers and other notable species as a result of these developments the predicted Scheme impacts will increase from Site level to Local level impacts as described in 2.6.2.
- vi Given the requirement of GCN mitigation through a district level licence and the creation of a biodiversity area, the cumulative effect of the above developments does not increase the impact to a district level.
- vii Potential cumulative impacts are not predicted to elevate the geographic scale of impact significance for any other protected fauna species.

5 CONCLUSION

- i This EclA is based on a desk study and ecological surveys undertaken between June and July 2024. The scope of the surveys was based on the EZol of the Scheme and included an extended Phase 1 habitat survey following UKHabs methodology, habitat condition surveys, GCN surveys and PBRA. The ecological features present within the Survey Area are shown in Figures 1, 2 and 3. Once all relevant available information was obtained, the significance of effects (both positive and negative) on IEFs was assessed.
- ii The Applicant has agreed that the avoidance, mitigation, and compensation measures identified in Section 4 and 5 above will be incorporated into the detailed design proposals for the Scheme and implemented as part of the overall development of the Site. The Scheme has maximised opportunities to incorporate and enhance biodiversity within the proposals wherever possible.
- iii Impacts from the construction or operational phases of the Scheme are predicted to result in none of the following significant negative residual effects:
 - Undermine the conservation objectives or condition of designated sites and their features of interest;
 - A change in ecosystem structure and function; and,
 - Threaten the conservation status of undesignated habitats or protected and notable species.
- iv Overall, the Scheme will attempt to achieve a biodiversity net gain, or seek purchasing credits.
- v Taking avoidance, mitigation and compensation measures into account, the Scheme will conform in respect of biodiversity to The Environment Act 2021 requirement for mandatory biodiversity net gain, the National Planning Policy Framework (NPPF) Section 15 (Conserving and enhancing the natural environment).

6 FIGURES

Figure 1: Site Location Plan

Figure 2: UKHabs Plan

Figure 3: Waterbody Plan



RammSanderson		
Title: Site Context Plan		
Project: Land North of Station Market Bosworth		
Client: Richborough Estates Limited		
Date: 01/10/2024	Fig:	Author: LG
A4 Scale: 1:2500	ID: RSE_8306_STC_0824_V2R1	
EPSG:27700 OSGB36 / British National Grid		



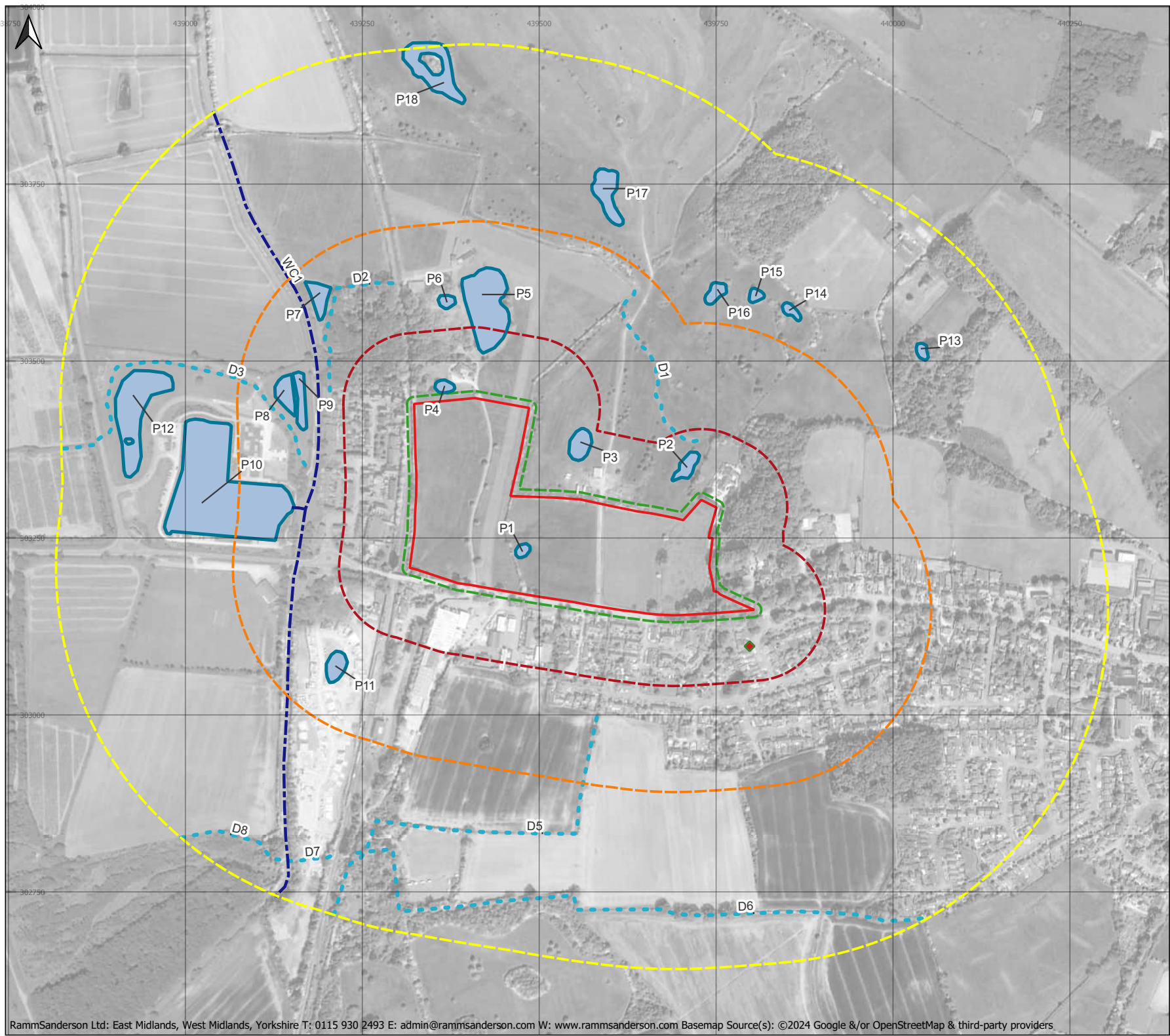
- Key**
- Site Boundary
 - g3c: Other neutral grassland
 - g4: Modified grassland
 - r1g: Other standing water
 - u1b: Developed land; sealed surface
 - w1g: Other broadleaved woodland
 - h2a: Native hedgerow
 - h2a6: Other native hedgerow
 - h2b: Non-native and ornamental hedgerow
 - u1e: Built linear features - fence
 - g4 203: Mature tree (Very large rural tree)
 - g4 204: Veteran tree (Very large rural tree)
 - g4 216: Large hollows or cavities (Very large rural tree)
 - g4 203: Mature tree (Large rural tree)
 - g4 200: Tree (Medium rural tree)
 - Target Notes
 - TN1: Horsetail
 - TN2: Giant hogweed



RammSanderson

Title: UKHabs Habitat Plan		
Project: Land North of Station Market Bosworth		
Client: Richborough Estates Limited		
Date: 02/10/2024	Fig:	Author: LG/RD/LE
Habitat MMU: 25m ²	Linear MMU: 5m (length)	
A4 Scale: 1:2300	ID: RSE_8306_UKH_0824_V1R1	

EPSG:27700 OSGB36 / British National Grid



- Key**
- Site Boundary
 - 10m Buffer
 - 100m Buffer
 - 250m Buffer
 - 500m Buffer
 - Granted European Protected Species Applications (Amphibian) (MAGIC 2024)
 - Pond Location
 - Canal
 - Ditch/Drain

Pond	Area (m2)
P1	300.23
P2	778.99
P3	1071.52
P4	380.62
P5	5575.59
P6	345.79
P7	1009.79
P8	1065.84
P9	971.82
P10	17813.98
P11	933.02
P12	5603.21
P13	296.69
P14	351.22
P15	303.47
P16	584.37
P17	1903.31
P18	3212.73

Title: Waterbody Plan

Project: Land North of Station Market Bosworth

Client: Richborough Estates Limited

Date: 02/10/2024

Fig:

Author: LG/LE

A4 Scale: 1:7000

ID: RSE_8306_WBY_0824_V3R1

EPSG:27700 OSGB36 / British National Grid

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APPENDIX 1: RELEVANT LEGISLATION AND PLANNING POLICY

The UK is no longer a member of the European Union (EU). EU legislation as it applied to the UK on 31 December 2020 is now a part of UK domestic legislation. EU legislation which applied directly or indirectly to the UK before 11.00 p.m. on 31 December 2020 has been retained in UK law as a form of domestic legislation known as 'retained EU legislation'.

The Secretary of State for the Environment, Food and Rural Affairs and Welsh Ministers have made changes to parts of the Conservation of Habitats and Species Regulations 2017 (referred to as the 2017 Regulations) so that they operate effectively. Most of these changes involve transferring functions from the European Commission to the appropriate authorities in England. All other processes or terms in the 2017 Regulations remain unchanged and existing guidance is still relevant and are now referred to as The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (the 2019 Regulations).

Designated Sites

Locally Designated Sites

Local Wildlife Sites are sites with 'substantive nature conservation value'. They are defined areas, identified and selected for their nature conservation value, based on important, distinctive and threatened habitats and species with a region.

They are usually selected by the relevant Wildlife Trust, along with representatives of the local authority and other local wildlife conservation groups.

The LWS selection panel, select all sites that meet the assigned criteria, unlike SSSIs, which for some habitats are a representative sample of sites that meet the national standard. Consequently, many sites of SSSI quality are not designated and instead are selected as LWSs. Consequently, LWSs can be amongst the best sites for biodiversity.

Protected Species

Bats

These species, known as European Protected Species, are protected under Regulation 43 of the 2017 Regulations as amended by the 2019 Regulations. This makes it an offence to deliberately capture, injure or kill an animal; deliberately disturb an animal; or damage or destroy a breeding site or resting place used by an animal.

Deliberate capture or killing is taken to include "accepting the possibility" of such capture or killing. Deliberate disturbance of animals includes in particular any disturbance which is likely a) to impair their ability (i) to survive, to breed or reproduce, or to rear or nurture their young, or (ii) in the case of animals of hibernating or migratory species, to hibernate or migrate; or b) to affect significantly the local distribution or abundance of the species to which they belong.

Where development works are at risk of causing one or more of the offences listed above, a mitigation licence from Natural England can be obtained to facilitate the works that would otherwise be illegal.

These species are also protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). This makes it an offence to intentionally or recklessly obstruct access to any structure or place used for shelter or protection or disturb an animal in such a place.

Lower levels of disturbance not covered by the Conservation of Habitats and Species Regulations 2017 remain an offence under the Wildlife and Countryside Act 1981 although a defence is available where such actions are the incidental result of a lawful activity that could not reasonably be avoided.

Nesting Birds

All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended), with some species afforded greater protection under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended). In addition to the protection from killing or taking that all birds receive, Schedule 1 birds and their young must not be disturbed at the nest.

There are no licensing purposes that explicitly cover development activities affecting wild birds.

Planning Policy

National Planning Policy Framework, 2023

The National Planning Policy Framework (NPPF) (Department of Communities & Local Government, 2021) sets out the Government's planning policies for England and how these are expected to be applied by Local Authorities within their Local Development Frameworks (LDF).

Regarding the NPPF, the most pertinent paragraphs are:

8.c) "to protect and enhance our natural, built and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy"

174.d) "minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures"

179.b) "promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity."

180.a) "if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused."

180.c) "development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁶³ and a suitable compensation strategy exists."

Local Planning Policy

Erewash Core Strategy:

- i Policy 17 of the Erewash Core Strategy states that:
- ii *"Designated national and local sites of biological or geological importance for nature conservation will be protected in line with the established hierarchy of designations and the designation of further protected sites will be pursued".*
- iii *"ensuring that where harm to biodiversity is unavoidable, and it has been demonstrated that no alternative sites or scheme designs are suitable, development should as a minimum mitigate or compensate at a level equivalent to the biodiversity value of the habitat lost".*
- iv *Proposed development should seek particularly to contribute towards Local Biodiversity Action Plan habitats and species. The Lowland Derbyshire Biodiversity Action Plan identifies wildlife habitats and species that are a priority for protection, either because they are nationally or locally rare or in decline, or are characteristic of the area; and to set targets and action plans for their conservation in order to*

address their continued decline. The Biodiversity Action Plan contains Habitat Action Plans for several types of priority woodland, grassland, wetland and farmland habitat. Their importance varies with location, for example the Erewash Greenprint Strategy identifies seven priority habitats, including semi natural grassland, standing water, woodland, and urban and previously developed land.

APPENDIX 2: METHODOLOGY

Desk Study

Background Records Search

- v The preliminary ecological assessment includes a desk study to obtain background records relevant to a Site and the Scheme. The data obtained provides contextual information for the scope of field surveys, to aid the evaluation of field survey results, and to provide supplementary information where complete field survey coverage is not possible.
- vi The Study Area is dependent upon the nature, timing and scale of the Scheme, as well as the location of the Site and the surrounding landscape. These variables all contribute to what is referred to as the Zone of Influence (Zol) of the Scheme, which is the area over which ecological features may be affected by biophysical changes because of the works and associated activities.
- vii In June 2024 the Leicestershire and Rutland Environmental Records Centre was contacted to obtain the following ecological data:
 - Records of non-statutory designated sites within 1 km of the Site boundary.
 - Records of legally protected and notable species (fauna and flora) within 1 km of the Site boundary, including Species of Principal Importance for the Conservation of Biodiversity listed under Section 41 of the Natural Environment & Rural Communities Act 2006 in the England Biodiversity List¹⁶.
- viii The Multi-Agency Geographic Information for the Countryside (MAGIC) (www.magic.gov.uk) website was reviewed for the following information:
 - Designated sites of nature conservation importance (statutory sites only) within 1 km of the Site; and,
 - Notable habitats within 1 km of the Site, these being areas of ancient woodland and 'Habitats of Principal Importance for the Conservation of Biodiversity' included in the England Biodiversity List.

Great Crested Newt Pond Search

- ix Ordnance Survey maps and the Where's the Path website (<https://wtp2.appspot.com/wheresthepath.htm>) have been used to identify the presence of water bodies within 500 m of the Site boundary, in order to help establish if the land within and immediately surrounding the Site could be used by great crested newts. This species can use suitable terrestrial habitat up to 500 m from a breeding pond (English Nature, 2001), though there is a notable decrease in great crested newt abundance beyond 250 m from a breeding pond (Natural England, 2004).

Field Survey

- x The preliminary ecological assessment includes a walkover survey of the Survey Area (all land within the Site and adjacent to), broadly following the UK Habitat methodology (UKHab, 2023). This survey method records information on habitat types and is 'extended' to record any evidence of and potential for protected or notable species to be present. Plant names recorded during the survey follow (Stace, 2019).
- xi During the walkover survey, the following protected or notable species are considered:

¹⁶ Section 40 of the Natural Environment & Rural Communities Act 2006 requires that very public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. The Secretary of State has drawn up, in accordance with Section 41 of the Act and in consultation with Natural England, a list of habitats and species of principal importance for the conservation of biodiversity in England that is known as the England Biodiversity List

- **Badger:** the survey involves searching for signs of badger activity including setts, tracks, snuffle holes and latrines, following the methodology detailed in (Scottish Natural Heritage, 2018) and (Harris, 1989).
- **Bats:** the survey involves searching for potential roosting sites for bats within trees and structures (such as buildings, bridges or underground features such as mines) and categorising the potential of those trees or structures to support roosting bats (negligible to high, or confirmed roost), in accordance with Bat Conservation Trust (BCT) (Collins, J. (Eds.), 2023) guidance.
- **Birds:** the survey involves assessing the potential of habitats within the Survey Area to support breeding, wintering or migrating birds, either individually notable species or assemblages of both common and rarer species;
- **Great crested newt:** the survey involves assessing the potential of habitats within the Survey Area to support great crested newt, following English Nature (English Nature, 2001) and Froglife (Froglife, 2001) guidance;
- **Reptiles:** the survey involves assessing the potential of habitats within the Survey Area to support reptiles (typically adder, grass snake, common lizard and slow worm only, though in some locations and habitat types (most notably heathland) may also include smooth snake and sand lizard), following Froglife (Froglife, 1999) and JNCC (Joint Nature Conservation Committee, 2003) guidance;
- **Notable species of invertebrate:** the survey involves assessing the potential of habitats within the Survey Area to support notable species of invertebrates, both terrestrial and aquatic (including white-clawed crayfish);
- **Protected or Notable species of plants:** the survey involves recording protected or notable plant species;
- **Other notable species:** the survey involves assessing the potential of habitat within the Survey Area to support other Notable Species, such as hedgehog, brown hare, polecat or common toad;
- **Non-native invasive plant species:** the survey involves recording evidence of the presence of invasive plants listed on (Wildlife and Countryside Act, 1981 (as amended)) and subject to strict legal control.

Tree and Building Bat Roost Suitability Assessment

xii Buildings, trees and other structures were graded as to their suitability for supporting roosting bats using (Collins, J. (Eds.), 2023), an extract of which is provided interpreted in the table below.

Table 7: Criteria for bat roost potential assessment of trees

Roost Potential	Description	Surveys Required (Trees)
Confirmed roost	Evidence of roosting bats found during initial daytime inspection.	3 – including 1 dawn as a minimum, or all dusk with augmentation of Night Vision Aids, or three aerial tree climbs.
PRF-M *	Structures with one or more features suitable for bat roosting, with obvious suitability for larger numbers of bats.	3 – including 1 dawn as a minimum, or all dusk with augmentation of Night Vision Aids, or three aerial tree climbs.
PRF-I	Structure with one or more potential roosting sites used by individual bats opportunistically. Insufficient space, shelter or protection to be used by large numbers of bats.	Precautionary Mitigation Approach, some instances may require further survey
Negligible	No or negligible features identified that are likely to be used by roosting bats	None

Biodiversity Accounting

- xiii The biodiversity net gains assessment involves making a comparison between the biodiversity value of habitats present within the Site prior to a development (i.e. the 'baseline') and the predicted biodiversity value of habitats following the completion of the Scheme (i.e. 'post development'). The comparison is undertaken in terms of 'biodiversity units', with a 'biodiversity metric' providing the mechanism to allow biodiversity values to be calculated and compared.
- xiv The metric assesses and generates separate outputs for area-based habitats and linear based habitats (with rivers reported separately to other habitats like hedgerows). A development cannot claim to achieve net gain until biodiversity net gains are predicted across all area-based, linear based and river based habitats.
- xv The calculation for area-based and linear (non-river) habitats calculates biodiversity units as follows:
- Before Works = Distinctiveness Score x Condition Assessment x Area/Length x connectivity x strategic significance
 - After Works = ((Distinctiveness Score x Condition Score x Area/ Length x connectivity x strategic significance) / Time to Target Condition) / Difficulty of Creation/Restoration
- xvi The five factors are determined as set out below:
- Distinctiveness Score – High, Medium or Low, based on UK habitat classifications.
 - Condition Score – Good, Fairly good, Moderate, Fairly poor or Poor, based on habitat condition assessment.
 - Area/Length – hectares (ha)/ length (km) of habitat type.
 - Connectivity – High, Medium and Low.
 - Strategic significance – High (Within area formally identified in local strategy), Medium (Location ecologically desirable but not in local strategy) and Low (Area/compensation not in local strategy/ no local strategy).
 - Time until target condition – time period (in years) until the target condition will be achieved.
 - Difficulty of creation/restoration – a score applied to account for risk associated with creating/restoring different types of habitat.

Limitations

- xvii The aim of a desk study is to help characterise the baseline context of a proposed development and provide valuable background information that would not be captured by a single site survey alone. Information obtained during the course of a desk study is dependent upon people and organisations having made and submitted records for the area of interest. As such, a lack of records for a particular habitats or species does not necessarily mean that the habitats or species do not occur in the study area. Likewise, the presence of records for particular habitats and species does not automatically mean that these still occur within the area of interest or are relevant in the context of the proposed development.
- xviii An ecological survey represents a 'snapshot' in time of the ecological condition of a Site. The ecological character of a Site can change substantially throughout both the course of a year, and from year to year impacting on the extent and quality of habitats potential to support protected species.
- xix Due to cattle being present within the eastern field, some areas along the northern and southern peripheries were not subject to a detailed survey. Given the characteristics of the habitats, this is not considered to impact upon the findings of the survey.

APPENDIX 3: Survey Results

Ground Level Tree Assessment

Table 8: Summary of Bat Building Assessment

Feature	Description	Grading	Photographs
T1	Ash tree located within eastern field. Butt rot cavity present at eastern aspect, 2m height, likely leading into trunk providing large cavity. Callous roll present at southern aspect, 8m height, looks likely superficial but cannot fully assess from ground level. Branch cavity present on eastern aspect, 4m height. Could support multiple bats if extends into full cavity.	PRF-M	

Feature	Description	Grading	Photographs
T2	Sycamore tree located along southern boundary. Hollow in trunk at eastern aspect, 6m height. Unable to see from ground level whether extends into trunk and has areas not exposed by weather.	PRF-M	
T3	Horse chestnut tree located along southern boundary. Butt rot cavity located along eastern aspect, 1m from the ground. Looks to extend upwards into trunk, which could support multiple bats.	PRF-M	