

Site Name	Land South West Of Sutton Lane Market Bosworth Leicestershire	Advice Request	Ecology
Planning Ref	23/01102/FUL	Response Deadline	On-going consultation
Planning Officer	Matt Jedruch	Completed By	Kirsten Hunter BSc ACIEEM
Date of Request	26 th January 2024	Date of Issue	29 th January 2024

Stance: Object subject to update bat survey and production of pre-commencement conditions

Dear Matt,

I am writing in respect of ecological matters for the above application concerning the erection of a detached dwelling. This response follows the ecology response issued by Red Kite on 14th Dec 2023. I have accessed the Leicestershire and Rutland Environmental Records Centre (LRERC) and Hinckley & Bosworth Borough Council's online planning portal and reviewed the following planning documents:

- Biodiversity Net Gain Metric by (Elton Ecology, updated 23rd Jan 2024);
- Biodiversity Net Gain Report (by Elton Ecology, updated 22nd Jan 2024); and
- Preliminary Ecological Appraisal (by Elton Ecology, updated 23rd Jan 2024).

The updated BNG metric achieves a net gain of +64.83% for habitat units and +20.96% for hedgerow units, with trading rules satisfied. Net gain on watercourse units has not been sought. The calculation achieves in excess of the minimum 1% net gain required on Site. While the updated Site walkover was undertaken during suboptimal time of year, this is noted as a limitation in Section 2.48 of the PEA and appropriately caveated.

Regarding protected species:

The update PEA provides satisfactory responses to the previous comments with the exception of update bat surveys for Buildings B1a-B1c and reptiles.

As per the previous response, Buildings B1a-B1c were assessed as low potential, however the single nocturnal bat presence/absence survey was completed outside appropriate survey timing in September, rather than between May-Aug, and therefore not to industry standard guidance. It is therefore possible roosting bats may have been missed due to lack of appropriate survey effort and a lower number of incident activity recorded. With this in mind, it is recommended an update survey is carried out on B1a-B1c at an appropriate time of year. Otherwise, justification is sought to explain why the survey was carried out in September and/or if updates are not considered necessary.

Given the presence of suitable habitat for reptiles on Site as stated in Table 9 of the PEA, it is advised reptile presence/absence surveys are carried out or justification is provided as to why this was deemed unnecessary.

As previous and as outlined in Table 16 of the PEA, the following should be undertaken as pre-commencement planning conditions:

- Should works not have commenced within 12 months since Site walkover, an update badger survey should be undertaken, in addition to the recommended pre-works badger walkover;
- Production of a bat-sensitive artificial lighting scheme which should be reviewed and approved by an experienced bat ecologist as recommended;
- Details on how the post-development plan might be achieved should be provided through a Landscape Ecological Management Plan (LEMP) to ensure agreed net gain is reached and the proposed created habitats achieve conditions specified in the BNG calculation. Ideally, a 30-year management plan should be provided in accordance with the Environment Act 2021, although it is accepted that this is not mandatory until Feb 2024;
- Production of a biodiversity Construction Environmental Management Plan (CEMP) including details on appropriate timing of works to avoid harm to breeding birds and bats, BPZs for bat potential trees and buffer zones around the Sutton Brook to safeguard otters and water vole, root protection areas (RPAs) for retained trees and hedgerows. CEMP should include consideration regarding trees T11 and T10 regarding proposed enhancement of H5 to ensure the works proceed without impacting potential bat roosts e.g. avoiding blocking/obstructing potential roost features (PRFs) and avoiding cluttering drop zones;
- Establishment and management of ecological enhancements recommended in Section 7 of the BNG, including bat roosting loft, swallow cups and invertebrate bricks should be included in a Biodiversity Enhancement Management Plan (BEMP); and
- Reasonable Avoidance Measures Method Statement (RAMMS) covering brown hare, hedgehog as recommended which should include ground nesting birds, bats, badger and common amphibians. This should be implemented prior to commencement of works and should form a pre-commencement planning condition.

Yours sincerely,



Dr Kirsten Hunter BSc, ACIEEM

Senior Ecologist

On behalf of Leicestershire County Council (Ecology Team)

Landscape Architecture
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