
ECOLOGICAL IMPACT ASSESSMENT (EcIA) SUMMARY REPORT

LAND EAST OFF STOKE ROAD AND NORTH OF NORMANDY
WAY (A47), HINCKLEY, LEICESTERSHIRE, NR LE10 1YA

ON BEHALF OF

MR & MRS ADCOCK C/O RICHBOROUGH ESTATES

REFERENCE: ZEL_203
DATE: November 2022

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Report Data	
Report Title	Ecological Impact Assessment (EclA) Summary
Report Reference	ZEL_230
Client	Mr & Mrs Adcock c/o Richborough Estates
Site	Land east off Stoke Road and north of Normandy Way (A47), Hinckley, Leicestershire, Nr LE10 1YA
Surveyor	E. Seaton BSc (Hons) MCIEEM

Rev	Report	Author	Date Issued
V1	Preliminary Ecological Appraisal	E. Seaton BSc (Hons) MCIEEM	24 November 2022

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EXECUTIVE SUMMARY

- The land east of Stoke Road and north of Normandy Way (A47) was subject to a suite of surveys completed by Zebra Ecology Ltd during 2021 and 2022. The following surveys have informed this assessment:
 - Preliminary Ecological Appraisal (Zebra Ecology, 2021)
 - Great Crested Newt Survey (Zebra Ecology, 2022a)
 - Breeding Bird Survey (Zebra Ecology, 2022b)
 - Bat Activity and Automated Survey (Zebra Ecology, 2022c)
 - Riparian Mammal Survey (Zebra Ecology, 2022d)
 - Barn Owl Report (Zebra Ecology, 2022e)
 - Hedgerow Regulations Assessment (Zebra Ecology, 2022f)
- The site is approximately 25.4ha in area and comprises an arable field and five cattle-grazed fields surrounded by a mix of species-rich and species-poor hedgerows.
- An Ecological Impact Assessment was undertaken in November 2022 by Zebra Ecology Ltd in accordance with the Guidelines for Ecological Impact Assessment (CIEEM, 2022 Version 1.2).
- Planning consent is being sought from Hinckley and Bosworth Council for *'outline permission for the erection of up to 475 dwellings, including public open space, land reserved for a primary school together with future expansion land (Use Class F1(a)), landscaping, drainage and associated infrastructure'*.
- No significant residual impacts have been identified on 'important' ecological features with appropriate mitigation, compensation and enhancement.

1.0 INTRODUCTION

Background to the Development

- 1.1 Zebra Ecology Ltd was commissioned by Richborough Estates on behalf of Mr & Mrs Adcock to undertake a Preliminary Ecological Appraisal (including 2km data search) of the land east of Stoke Road and north of Normandy Way (A47), Hinckley, Leicestershire (centred on Ordnance Survey grid reference SP 420 956).
- 1.2 The site is 25.4ha in area and comprises five separate fields subject to cattle grazing with a further parcel of land located to the west of Stoke Road surrounded by mixture of native species-rich and species-poor hedgerows. The application site boundary is shown in Figure 1.



Figure 1: Application Site Boundary

- 1.3 Planning consent is being sought from Hinckley and Bosworth Council for 'outline permission for the erection of up to 475 dwellings, including public open space, land reserved for a primary school together with future expansion land (Use Class F1(a)), landscaping, drainage and associated infrastructure'.

Objectives

- 1.1 The objectives of the assessment are to:
 1. Identify all potential impacts associated with the development proposals and determine

- whether they would have a significant effect on any important ecological features;
2. Identify any mitigation measures likely to be required to ensure compliance with legislation and to address any significant effects, following the 'Mitigation Hierarchy';
 3. To provide an assessment of any residual effects following mitigation, and identify any necessary compensation measures;
 4. Identify opportunities to deliver ecological enhancement;

2.0 METHODOLOGY

Habitat Surveys

- 2.1 A field survey was undertaken in accordance with the Preliminary Ecological Appraisal Guidelines (CIEEM, 2017 2nd Edition) and the Handbook for Phase 1 Habitat Survey (JNCC, 2010). This involved walking over the site, mapping the main habitat types and compiling target notes to identify particular areas of interest or concern. Plant species lists were also compiled.
- 2.2 A Hedgerow Regulations Assessment was also completed in accordance with the Hedgerow Survey Guidelines (DEFRA, 2007)

Desk Study

- 2.3 Existing ecological and nature conservation data relevant to the site was collated from various sources including the Multi Agency Geographic Information for the Countryside (MAGIC) online database (<http://magic.defra.gov.uk>) and Leicestershire and Rutland Environment Records Centre (LRERC).
- 2.4 A third-party data search was undertaken to attain biological records from Leicestershire and Rutland Environment Records Centre (LRERC) during November 2021 to identify any designated sites and protected / notable species within a 2km radius of SP 420 956. It should be noted that the absence of biological records for an area does not imply that taxa are not present.
- 2.5 A search of European statutory designated sites such as Special Areas of Conservation (SAC) or Special Protection Areas (SPA) within 10km of the site boundary was also undertaken.
- 2.6 A search of the planning portal of Hinckley and Bosworth Council was undertaken to identify any other planned projects that may occur over a similar timeframe and therefore may have a cumulative impact on ecological features.

Protected Species Survey

In conjunction with the habitat assessments, the following specialist surveys reports for protected species have been undertaken to identify important ecological features at the site:

- Great Crested Newt Survey (Zebra Ecology, 2022a)
- Breeding Bird Survey (Zebra Ecology, 2022b)
- Bat Activity and Automated Survey (Zebra Ecology, 2022c)
- Riparian Mammal Survey (Zebra Ecology, 2022d)
- Barn Owl Report (Zebra Ecology, 2022e)

Ecological Impact Assessment (EcIA)

- 2.7 CIEEM's best practice guidelines (CIEEM, 2018) state that:
- 2.8 *"...EcIA is a process of identifying, quantifying and evaluating the potential effects of development-related or other proposed actions on habitats, species and ecosystems. EcIA can be used for the appraisal of projects of any scale: it is a systematic, repeatable process applicable to a wide range of projects."* (see page 1 of CIEEM, 2018).
- 2.9 Following current guidelines on EcIA this assessment identifies and focuses on 'important ecological features'. These are those species, habitats or ecosystems that are of importance in terms of their conservation value, importance for biodiversity or legal protection in the appropriate geological context and are potentially to be impacted upon by the development proposal. These features thus constitute a material consideration in the assessment of ecological impacts of a scheme. The identification of important ecological features has been derived from a variety of sources including:
- Designated sites (statutory and non-statutory);
 - Legal instruments. 'International legislation' (e.g. EC Habitats Directive, EC Birds Directive); National legislation (e.g. S.41 list of species and habitats '...of principal importance for the purpose of conserving biodiversity in England' under the Natural Environment and Rural Communities Act 2006; The Conservation of Species and Habitats Regulations, 2010; The Wildlife and Countryside Act 1981; The Hedgerow Regulations 1997).
 - The Post-2010 Biodiversity Framework, which replaced the UK Biodiversity Action Plan (UKBAP).
 - County (local) BAPs / Lists (where active).
 - The Red and Amber lists of 'Birds of Conservation Concern' (see Eaton et alii, 2015).
 - UK Red Data Book and Nationally/Regionally/locally notable species.
 - Planning Policy (local and National).
 - Ecosystem services and natural capital.
 - Other reasons including identified high-value unimproved or semi-natural habitats.
- 2.10 The geographical scale of significance for any important ecological feature has been determined following the guidelines of CIEEM (2018) as follows:
- International and European.
 - National.

- Regional.
- Metropolitan, County, vice-county or other local authority-wide area.
- River Basin District
- Estuarine system/Coastal cell
- Local.

2.11 The assessment focuses on ecological features that have been identified as ‘important’ and affected by the development proposals.

3.0 RESULTS

Habitat Assessments

- 3.1 Hedgerow 5 has been identified as being 'important' under the Hedgerow Regulations, 1997. This hedgerow has existed for more than 30 years and supports a Schedule 5 species (barn owl). No other hedgerows have been identified as being 'important'.

Great Crested Newts

- 3.2 No great crested newts were recorded within any of the ponds during the survey visits.

Breeding Birds

In total, 32 species of bird were recorded during the survey visits, 15 of which were considered 'notable' species. The breeding bird assemblage utilising the site was typical of the on-site habitats, mainly comprising common and widespread bird species. Thus, the site has been deemed as holding 'Local' importance only with regards to birds.

Bat Activity

- 3.3 Occasional bat activity was recorded during the walked transect surveys from at least five species: common pipistrelle, soprano pipistrelle, brown long-eared bat and big bat. *Myotis* sp. was also detected during automated surveys. The majority of activity recorded was from common pipistrelle (>79% across automated surveys).
- 3.4 The site has been assessed to be of 'district, parish or local importance' for commuting and foraging common pipistrelle, soprano pipistrelle, brown long-eared bat and *Myotis* sp. and county importance for commuting / foraging big bat sp. (with reference to Wray et al., 2000).

Riparian Mammals

- 3.5 No riparian mammals (i.e. water vole, otter) or evidence of these protected species has been recorded on-site.

Barn Owl

- 3.6 An active barn owl nest site has been identified within Tree 25 (T25).

Badgers

- 3.7 An active badger sett (see TN2 for location) is located under scrub within proximity to the banks of Pond 1 (P1). Three entrance holes are present. The sett was monitored using a camera trap and stick placement between 27 January 2022 and 24 February 2022. A badger was recorded entering one of the holes on 4 February 2022.
- 3.8 Large mammal holes are also present along Hedgerow 4. A dead fox was seen in proximity. No confirmed badger activity was recorded in association with these mammal holes (i.e. going in or out); however, badgers were frequently captured passing so the potential for future occupation should not be discounted.

Important Ecological Feature	Impact(s)	Significance of Impact(s) <u>without</u> Mitigation / Compensation / Enhancement	Mitigation/Compensation/Enhancement (proposed)	Significance of Residual Impact(s) <u>with</u> Mitigation / Compensation / Enhancement
Wild / breeding birds	Reduction in diversity of breeding bird species including five Leicestershire & Rutland Red Data Book Species (barn swallow, greater whitethroat, house sparrow, song thrush, yellowhammer and barn owl). Loss of bird nesting and foraging habitat through vegetation clearance (e.g. removal of dividing hedgerows, eight trees). Increased likelihood of disturbance (e.g. predation) due to anthropogenic impacts such as lighting.	Major Negative at Site / Local Level	Removal of potential bird nesting habitat (where required to facilitated development) to be undertaken outside the core bird nesting season (March – August inclusive) or otherwise under the direct supervision of a suitably qualified ecologist. Extensive new landscaping for the benefit of bird species: • Planting of 288 small trees and 240 small (fruit) trees. • Species-rich wildflower strips to be created across the site providing a food source (e.g. invertebrates, small mammals) for some species. • Mixed scrub to be planted adjacent to existing retained scrub around perimeters and within a concentrated area at the north of the site. • Planting of 4.7km of native, species-rich hedgerow with trees • Bolstering of existing hedgerows to improve species integrity / nesting opportunity.	Minor Negative moving to Minor Positive with 5-10 years at Local Level.

Important Ecological Feature	Impact(s)	Significance of Impact(s) <u>without</u> Mitigation / Compensation / Enhancement	Mitigation/Compensation/Enhancement (proposed)	Significance of Residual Impact(s) <u>with</u> Mitigation / Compensation / Enhancement
			Sensitive lighting strategy to be designed in collaboration with the ecologist to avoid short and long-term impacts through increased illumination. This will include unlit buffers along the brook and retained hedgerows. Provision of bird boxes to provide increased nesting opportunity for bird species: • 10 x Schwegler Sparrow Terraces • 10 x No.10 Schwegler Swallow Nest Cups • 10 x Swift Bricks integrated into new units. • 5 x 3S Schwegler Starling Nest Boxes • 15 x Schwegler General Nest Boxes Full details to be provided within a Landscape and Ecological Management Plan (LEMP) for the site.	

Important Ecological Feature	Impact(s)	Significance of Impact(s) <u>without</u> Mitigation / Compensation / Enhancement	Mitigation/Compensation/Enhancement (proposed)	Significance of Residual Impact(s) <u>with</u> Mitigation / Compensation / Enhancement
Barn Owl	Potential loss of Leicestershire & Rutland Red Data Book Species and Schedule 1 bird. Breach of The Wildlife and Countryside Act, 1981. Increased likelihood of disturbance (e.g. predation) due to anthropogenic impacts such as lighting.	Major Negative at County Level	Retention and protection of T25 (location of barn owl nest site) and provision of green infrastructure buffer zone within in the immediate surrounding habitat. Additional nest site in the form of a suitable barn owl nest box to be placed within 200m of T25, and 100m from the edge of the proposed development to reduce future disturbance from anthropogenic activities. Species-rich wildflower strips to be created across the site providing a food source (e.g. small mammals). Works involving loud machinery within proximity to T25 to be restricted to the off-season for breeding barn owl (November-February inclusive). Should works be proposed to commence during breeding season (March-October inclusive), a pre-commencement survey of T25 by a suitably licensed ecologist to be undertaken to confirm whether barn owls are breeding. Sensitive lighting strategy to be designed in collaboration with the ecologist to avoid short	Neutral at Local Level

Important Ecological Feature	Impact(s)	Significance of Impact(s) <u>without</u> Mitigation / Compensation / Enhancement	Mitigation/Compensation/Enhancement (proposed)	Significance of Residual Impact(s) <u>with</u> Mitigation / Compensation / Enhancement
			and long-term impacts through increased illumination. Full details to be provided within a Landscape and Ecological Management Plan (LEMP) and Construction Ecological Management Plan (CEMP) for the site.	
Foraging / commuting bat species	Loss, fragmentation or isolation of foraging habitat for local bat species. Fragmentation of commuting routes for local bat species. Potential for reduction in overall diversity of bat species using the site as a result of urbanisation and lighting impacts.	Major negative at Local level	Sensitive lighting strategy to be designed in collaboration with the ecologist to avoid short and long-term impacts through increased illumination. This will include unlit buffers along the brook and retained hedgerows. Restriction on working hours to be implemented and secured as part of a future Construction and Ecological Management Plan (CEMP) to reduce impacts on nocturnal wildlife. Extensive new landscaping for the benefit of bat species: - Planting of 288 small trees and 240 small (fruit) trees - Species-rich wildflower strips to be created across the site providing a food source (e.g. invertebrates, small mammals) for some species.	Neutral moving to Minor Positive with 5-10 years at Local Level.

Important Ecological Feature	Impact(s)	Significance of Impact(s) <u>without</u> Mitigation / Compensation / Enhancement	Mitigation/Compensation/Enhancement (proposed)	Significance of Residual Impact(s) <u>with</u> Mitigation / Compensation / Enhancement
			• Mixed scrub to be planted adjacent to existing retained scrub around perimeters and within a concentrated area at the north of the site. • Planting of 4.7km of native, species-rich hedgerow with trees to increase connectivity. • Bolstering of existing hedgerows to improve species integrity. • Five attenuation basins proposed and to be planted with a wet tolerant grassland mix. All retained trees and hedgerows to be afforded adequate protection in line with 'BS5837: 2012 <i>Trees in relation to design, demolition and construction</i>'. New roosting provision in the form of crevice and hollow boxes to increase roosting opportunity post-development. Full details to be provided within a Landscape and Ecological Management Plan (LEMP). Incorporation of bat ridge and slope access tiles within 20% of proposed units.	

Important Ecological Feature	Impact(s)	Significance of Impact(s) <u>without</u> Mitigation / Compensation / Enhancement	Mitigation/Compensation/Enhancement (proposed)	Significance of Residual Impact(s) <u>with</u> Mitigation / Compensation / Enhancement
Badgers	Potential breach of The Protection of Badgers Act, 1992.	Major Negative at Local Level	Pre-commencement badger inspection and monitoring / application for a Natural England badger development licence to temporarily or permanently close setts (if required). Details of precautionary working measures associated with badgers (e.g. covering of trenches, pipes) to be secured as part of a future Construction and Ecological Management Plan (CEMP).	Full compliance with The Protection of Badgers Act, 1992.
Hedgerow 5	Damage to a retained hedgerow defined as 'important' under the Hedgerow Regulations (DEFRA, 1997).	Major Negative at Local Level	All retained trees and hedgerows to be afforded adequate protection in line with 'BS5837: 2012 <i>Trees in relation to design, demolition and construction</i> '.	Neutral. Compliant with the Hedgerow Regulations (DEFRA, 1997).

4.0 REFERENCES

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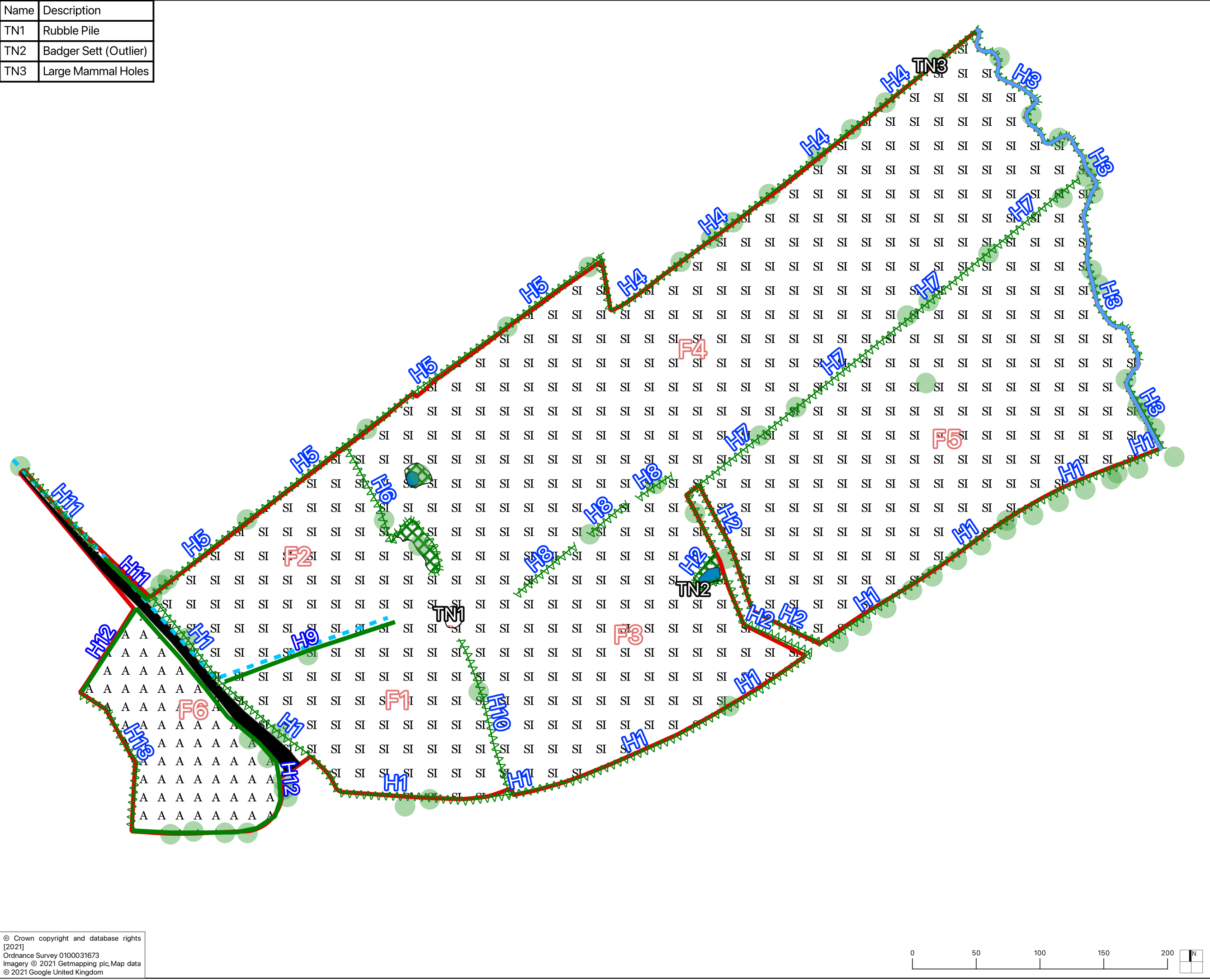
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APPENDIX A

Plans

- Phase 1 Habitat Plan

Name	Description
TN1	Rubble Pile
TN2	Badger Sett (Outlier)
TN3	Large Mammal Holes



APPENDIX A

- Red Line Boundary
- Species-poor Semi-improved Grassland
- Arable
- Ponds
- Scrub
- Rubble pile
- Ditch
- Target Notes
- Trees
- Species-poor hedgerow
- Species-rich hedgerow



Richborough Estates
Land east of Stoke Road and north of
Normandy Way (A47), Hinckley

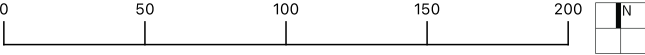
Leicestershire

Phase 1 Habitat Map

February 2022

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APPENDIX B

Legislation and Planning Policy

Badgers

Badgers are protected in the UK under the Protection of Badgers Act (1992), making it an offence to:

- Kill, injure or take a badger;
- Intentionally or recklessly interfere with a badger sett. Sett interference includes damaging, destroying or obstructing access to a sett and disturbing badgers while they occupy a sett.

Bats

All species of bat in Britain are 'European Protected Species' and are protected under the Conservation of Habitats and Species Regulations 2017, and the Wildlife and Countryside Act 1981, as amended by the Countryside & Rights of Way Act 2000. These pieces of legislation combine to give substantial protection to bats and their habitats, making it an offence to:

- Deliberately capture, injure or kill a bat;
- Intentionally or recklessly disturb a bat in its roost or deliberately disturb a group of bats;
- Damage or destroy a bat roosting place (even if bats are not occupying the roost at the time);
- Possess or advertise/sell/exchange a bat (dead or alive) or any part of a bat;
- Intentionally or recklessly obstruct access to a bat roost.

Great Crested Newt

The great crested newt is a 'European Protected Species' and is listed on both Annex II and IV of the EC Habitats Directive. The Directive is transposed into UK law through the Conservation of Habitats and Species Regulations 2017. They are also protected by the Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way Act 2000. These pieces of legislation combine to give substantial protection to great crested newts and their breeding ponds and terrestrial habitat, making it an offence to:

- Deliberately capture, injure or kill a great crested newt;
- Intentionally or recklessly disturb a great crested newt in a structure or place that they use for shelter or protection or deliberately disturb a group of a great crested newts;
- Damage or destroy a great crested newt resting place/shelter (even if they are not occupying it at the time);
- Possess or advertise/sell/exchange a great crested newt (dead or alive) or any part of a great crested newt (including eggs and all life-stages);
- Intentionally or recklessly obstruct access to a great crested newt resting place/shelter.

Nesting Birds

All wild bird nests are protected under The Wildlife and Countryside Act 1981 (as amended), making it an offence to:

- Intentionally kill, injure or take any wild bird or their eggs or nests (with certain exceptions) and disturb any bird species listed under Schedule 1 to the Act, or its dependent young while it is nesting.

The barn owl is included in the list of strictly protected fauna and appears in Appendix II of the Berne Convention (Convention on the Conservation of European Wildlife and Natural 37 Habitats). They are also afforded protection under Schedule One of the Wildlife and Countryside Act (1981). This act has been amended on several occasions, most recently by the Countryside and Rights of Way (CROW) Act 2000, the Natural Environment and Rural Communities (NERC) Act 2006 and by the Conservation of Habitats and Species Regulations 2010 and 2017, making it an offence to:

- Intentionally and recklessly disturb barn owls whilst they are building a nest or are in, on or near a nest containing eggs or young, or to disturb their dependent young.

Otters

The European otter is the only native UK otter species. It IS a European protected species (EPS) and is also fully protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). It is an offence to:

- Capture, kill, disturb or injure otters (on purpose or by not taking enough care); -
- Damage or destroy a breeding or resting place (deliberately or by not taking enough care);
- Obstruct access to their resting or sheltering places (deliberately or by not taking enough care);
- Possess, sell, control or transport live or dead otters, or parts of otters.

Water voles

Water voles are protected in the UK under the Conservation of Habitats and Species Regulations, 2017 and Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). This legislation makes it an offence to:

- Intentionally kill, take or injure a water vole;
- Possess or control any live or dead water vole, or any part or derivative (not including water voles bred in captivity under licence);
- Intentionally or recklessly damage, destroy or block access to a water voles place of shelter or protection (on purpose or by not taking enough care);
- Intentionally or recklessly disturb a water vole whilst it is occupying a structure or place which it uses for shelter or protection (on purpose or by not taking enough care).

APPENDIX C

Qualifications and Experience

Zebra Ecology Ltd is Registered Practice of the Chartered Institute of Ecology and Environmental Management (CIEEM). A comprehensive range of ecological services are offered including Preliminary Ecological Appraisal (PEA), Ecological Impact Assessment (EclA), Habitat Regulations Assessment (HRA), Biodiversity Impact Assessment (BIA) and European Protected Species (EPS) Surveys / Licensing.

The practice works closely with clients to achieve their aspirations alongside securing the best outcomes for the environment. With wildlife legislation and policy as its basis; commercial awareness, pragmatism and defensible advice is combined to form Zebra Ecology's approach.

As well as offering a wide range of ecological services, Zebra Ecology forms part of Zebra Group offering an in-house collaborative approach in conjunction with Zebra Architects, Zebra Landscape Architects, Zebra Trees and Zebra Land and Development.

Emma Seaton BSc (Hons) MCIEEM

Emma holds a BSc (Hons) degree in Biology from the University of Sheffield and has since gained a postgraduate certificate in Ecological Consultancy. Her ecological experience includes Preliminary Ecological Appraisals, Ecological Impact Assessments (EclA), surveying for notable / European Protected Species, mitigation / licensing advice.. She has held Natural England survey licences for bats (Class 2), great crested newts and white-clawed crayfish since 2015. She is also a Registered Consultant under the Bat Mitigation Class Licence (BMCL) licence. Emma is a Full member of the Chartered Institute of Ecology and Environmental Management.

Andrew Elliott BSc (Hons)

Andy holds a BSc (Hons) degree in Biological Sciences (Zoology) from the University of Birmingham, and has a particular passion for ornithology, as well as social ecology. Since graduating, Andy has spent considerable time on the African continent, contributing to research projects in fields such as evolutionary sociality in birds, black rhinoceros behavioural ecology and linear infrastructure wildlife-mortality mitigation. Andy holds a Class 1 survey licence for bats, and has a broad range of consulting experience, working on large and small-scale projects across the UK.

Aimmie Woodman BSc (Hons)

Aimmie holds a BSc (Hons) degree in Conservation Biology and Ecology from the University of Exeter. Her ecological experience includes Preliminary Ecological Appraisals, Ecological Impact Assessments (EclA) and surveying for notable / European Protected Species, with particular experience with bats as a volunteer bat carer since 2016. She has held Natural England survey licences for bats (Class 2) and great crested newts since 2021. Aimmie is a Qualifying member of the Chartered Institute of Ecology and Environmental Management.