



DeltaSimons

Ecological Impact Assessment

CNG Watling Street, Hinckley

Presented
to:

CNG Fuels

Issued: June 2023

Delta-Simons Project No: 22-1826.01/87785.545091

**Protecting people
and planet**

Report Details

Client	CNG Fuels
Report Title	Ecological Impact Assessment
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Non-Technical Summary

Delta-Simons Ltd was instructed by CNG Fuels (the 'Client') to undertake an Ecological Impact Assessment (EclA) of an area of land off A5 Watling Street, Hinckley, LE10 0FY (hereafter referred to as the 'Site') to inform a planning application for a new CNG Fuel station (the 'Proposed Development') at the Site.

This EclA addresses the potential effects of the Proposed Development on ecology and nature conservation. The Report describes the methods used to assess the effects; the baseline conditions currently existing at the Site and within the immediate surrounding area; the mitigation measures required to prevent, reduce or offset any significant adverse effects and the likely residual effects after these measures have been adopted, as well as any proposed enhancement measures. A summary of residual effects is provided below.

An ecological desk study undertaken in September 2022 identified no internationally designated statutory sites within 6 km of the Site, no nationally designated statutory sites and no county designated statutory sites within 2 km of the Site. The Site falls within several Site of Special Scientific Interest (SSSI) Impact Risk Zones (IRZ) the closest of which relates to Burbage Wood and Aston Firs SSSI 4 km to the north-east. However, the proposed development does not meet any of the risk criteria identified and given the distance and isolation from the SSSI by the town of Hinckley, no impacts are anticipated.

Twenty-nine non-statutory designated Local Wildlife Sites (LWSs) were identified within 2 km of the Site centre. The closest of which is a Dismantled Railway located approximately 10 m west of the Site. Considering the current use and status of the Site, scale and nature of the proposed development, there are not considered to be any likely adverse impacts on the majority of the identified LWSs. However, environmental best practice measures will be required during the construction and operational phase to mitigate potential impacts from dust in relation to the Dismantled Railway LWS.

The habitats on Site were surveyed and assessed for their value and their suitability to support protected/otherwise notable species by Delta-Simons on 21st September 2022. The Site covers an area of 0.92 ha and comprises improved grassland that was being utilised for grazing cattle at the time of the survey. Species poor hedgerows define the north-east boundary adjacent to the main road and the north-west boundary. A line of conifer trees defined the south-eastern boundary. The Site also incorporates a section of the A5 and associated road verge which comprised of poor semi-improved grassland and hedgerow. The habitats present on Site are widespread on both a local and national scale, with none of the habitats being considered rare. The boundary hedgerows are not considered Important against the Hedgerow Regulations but are Habitats of Principal Importance.

The proposals will result in the loss of grassland and a section of the tree line to the south-east. The hedgerow along the north-eastern Site boundary will also be lost to facilitate access and visibility splays. This loss of habitat will be in part compensated for through the provision of new native/wildlife-friendly planting within the landscaping strategy, including replacement hedgerow along the north-eastern boundary. Retained trees adjacent to the Site are to be protected in accordance with BS 5837 (2012) and the Arboricultural report prepared for the Site. The Proposed Development is considered to have a negligible effect on habitats that is of neutral significance.

The construction phase will result in the loss of suitable bird nesting habitat, namely trees and hedgerow. Suitable habitat will be removed either outside the main nesting bird season, or subsequent to a nesting bird check by a suitably experienced ecologist immediately prior to removal. Further, the proposed landscaping strategy includes hedgerow planting to compensate for habitat loss such that the proposed development is anticipated to result in a negligible residual effect for birds in the local area that is of neutral significance.

The Site provided no roosting potential and limited opportunities for foraging and commuting bats, with higher quality habitat found within the wider area. Whilst the Proposed Development will result in increased lighting, the scheme has been developed to minimise unnecessary light spill onto boundary vegetation and considering the overall suitability of the Site and immediate surrounding area, a minor adverse effect anticipated that is not significant.

There is limited potential for badgers and hedgehog to utilise the on-Site habitats and whilst the Site itself does not offer any suitable riparian habitat for otter, Sketchley Brook is situated approximately 130 m south-east of the Site and may offer opportunities for this species. If present, there is a low risk of individuals venturing across the Site during the proposed works. However, with the application of a precautionary approach during Site clearance and with regards to excavations is anticipated to result in a negligible effect on otter and badger, and a non-significant minor adverse effect on hedgehog as a result of potential casualties during the operational phase.

Summary of Residual Effects

Important Ecological Feature	Geographic Value	Characterisation of Unmitigated Impact	Significance Before Mitigation	Avoidance, Mitigation and Compensation	Residual Effect Significance
Habitats	Local	<u>Construction</u> Habitat loss Habitat damage Habitat creation	Minor adverse Non-significant	Retained trees to be protected in accordance with the Arboricultural report	Negligible Neutral
		<u>Operation</u> Habitat Management	Minor adverse Non-significant	Landscape and Ecology Management Plan (LEMP)	
Birds	Local	<u>Construction</u> Habitat loss/creation Nest destruction/disturbance through noise and vibration	Minor adverse Non-significant	Sensitive timing of works and/or watching brief with regards to the removal of, and works within close proximity to, suitable nesting habitat	Negligible Neutral
		Insensitive management/nest disturbance	Minor adverse Non-significant	LEMP	
Bats	Local	<u>Construction</u> Increased lighting and noise Habitat loss/creation	Negligible Neutral	n/a	Minor adverse Non-significant
		<u>Operation</u> Increased lighting	Minor adverse Non-significant		
Badger/Otter	Local	<u>Construction</u> Habitat loss/creation Injury from falling into open trenches	Minor adverse Non-significant	No open trenches or pits will be left uncovered or alternatively without a mammal ramp in overnight	Negligible Neutral

Important Ecological Feature	Geographic Value	Characterisation of Unmitigated Impact	Significance Before Mitigation	Avoidance, Mitigation and Compensation	Residual Effect Significance
Hedgehog	Local	<u>Construction</u> Habitat loss/creation Risk of killing/injury during Site clearance Injury from falling into open trenches	Minor adverse Non-significant	Awareness for the potential presence of the species during Site clearance activities Precautionary approach to clearance No open trenches or pits will be left uncovered or alternatively without a mammal ramp in overnight	Minor adverse Non-significant
		<u>Operation</u> Road casualties	Minor adverse Non-significant	n/a	

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1.0 Introduction

1.1 Purpose and Scope of the Survey

Delta-Simons Ltd was instructed by CNG Fuels (the 'Client') to undertake an Ecological Impact Assessment (EclA) of the proposed development of a CNG refuelling station (the 'Proposed Development') at land south of the A5 Watling Street, Hinkley, LE10 0FY (hereafter referred to as the 'Site'). A Preliminary Ecological Appraisal (PEA) Summary Note informed by the site survey detailed in this report was submitted with the Applicant's pre-application to Hinckley & Bosworth Borough Council, and no subsequent ecology related comments were received from Officers.

The purpose of this report is to:

- Establish baseline ecological conditions at the Site.
- Provide details of ecological mitigation measures incorporated through design evolution as an intrinsic part of the project design.
- Detail any ecological mitigation measures to be implemented during Site clearance, construction and operation.
- Identify any residual ecological effects after avoidance and mitigation measures have been considered.
- Identify any compensation measures required to offset residual effects.
- Provide recommendations for how mitigation and compensation may be secured and monitored.
- Set out details of ecological enhancement measures to be included within the Proposed Development.
- Provide sufficient information to determine whether the project accords with relevant nature conservation policies and legislation and, where appropriate, to allow conditions or obligations to be proposed by the relevant authority.

The Site location and the red line boundary are shown in Figure 1.

1.2 Site Description

The Site is centred at Ordnance Survey (OS) grid reference SP 40762 92574 and covers approximately 0.92 ha. The Site comprises improved grassland that was being utilised for grazing cattle at the time of the survey. Species poor hedgerows are present on the north-east boundary adjacent to the main road and the north-west boundary. A line of conifer trees defined the south-eastern boundary. The Site also incorporates a section of the A5 and associated road verge which comprised of poor semi-improved grassland and hedgerow.

The Site is bounded by agricultural land to the south and west and commercial properties to the north. A Petrol Filling Station lies to the east.

The habitats present on Site are shown in Figure 2.

1.3 Proposed Development

It is understood from the Proposed Development will comprise the development of a CNG refuelling station, with associated hard and soft landscaping (Drawing 1).

The construction phase will comprise:

- Clearance of all existing on-Site habitats;
- Protection of the retained off-Site trees; and

- Construction of the CNG fuelling station with associated soft landscaping.

The operational phase will comprise the active fuelling station and landscape management.

2.0 Legislation & Policy Summary

Planning guidelines, international commitments, legislation and planning policies relevant to the protection, conservation and enhancement of nature conservation interests are detailed below.

2.1 National Policy and Guidance

Specific habitats and species of relevance to the Site receive legal protection in the United Kingdom under various pieces of legislation, including:

- National Planning Policy Framework (NPPF, revised 2021);
- The Conservation of Habitats and Species Regulations 2017 (as amended);
- The Wildlife and Countryside Act (WCA) 1981 (as amended);
- The Countryside and Rights of Way (CRoW) Act 2000;
- The Natural Environment and Rural Communities Act (NERC) 2006;
- The Hedgerow Regulations 1997; and
- The Protection of Badgers Act 1992.

Where relevant, this assessment takes account of the legislative and policy protection afforded to specific habitats and species. Delta-Simons do not purport to provide specialist legal advice and where necessary the reader should also consult the original legislation, references to which are included in Appendix A.

2.2 Local Policy and Guidance

Local planning policies relating to ecology are generally based on national planning policy, the conservation of species protected under the above legislation and the protection of designated sites. However, relevant local policy and guidance documents are outlined below.

Site Allocations and Development Management Policies DPD (adopted July 2016)

The principle planning policies relating to nature conservation are as follows:

“DM6 Enhancement of Biodiversity and Geological Interest

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

Major developments in particular must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services.

Proposals where the primary objective is to conserve or enhance biodiversity or geological interest will be permitted where they comply with other relevant policies in the plan.

On site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term. The removal or damage of such features shall only be acceptable where it can be demonstrated the proposal will result in no net loss of biodiversity and where the integrity of local ecological networks can be secured.

If the harm cannot be prevented, adequately mitigated against or appropriate compensation measures provided, planning permission will be refused.

In addition to the above, where specific identified sites are to be affected the following will be taken into account:

Internationally and Nationally Designated Sites - International and Nationally Designated Sites will be safeguarded

Development which is likely to have any adverse impact on the notified features of a nationally designated site will not normally be permitted

In exceptional circumstances, a proposal may be found acceptable where it can be demonstrated that:

- a) A suitable alternative site with a lesser impact than that proposed*
- b) The on-site benefits of the proposal clearly outweigh the impacts on the notified features of the site and where applicable, the overall SSSI or habitat network; and the development management process; and*
- c) All appropriate mitigation measures have been addressed through the development management process; and*
- d) Development likely to result in a significant effect on internationally designated sites will be subject to assessment under the Habitats Regulations and will not be permitted unless adverse effects can be fully avoided, mitigated and/or compensated. Irreplaceable Habitats Proposals which are likely to result in the loss or deterioration of an irreplaceable habitat would only be acceptable where*
- e) The need and benefits of the development in that location clearly outweigh the loss;*
- f) It has been adequately demonstrated that the irreplaceable habitat cannot be retained with the proposed scheme*
- g) Appropriate compensation measures are provided on site wherever possible and off site where this not is feasible*

Locally Important Sites - Development proposals affecting locally important sites should always seek to contribute to their favourable management in the long term. Where a proposal is likely to result in harm to locally important sites (including habitats or species of principal importance for biodiversity), developers will be required to accord with the following sequential approach: proposed; measures can be taken on site;

- h) Firstly, seek an alternative site with a lesser impact than that proposed*
- i) Secondly, and if the first is not possible, demonstrate mitigation measures can be undertaken on site*
- j) Thirdly, and as a last resort, seek appropriate compensation measures, on site wherever possible and off site where this is not feasible."*

3.0 Methodology

The baseline for the EclA has been established through a combination of desk study and field surveys.

3.1 Scope of the Assessment and Zone of Influence

The features considered for this assessment were designated sites, Habitats and Species of Principal Importance for conservation, and species protected by wildlife legislation.

Given the size and location of the Site, the zone of influence was taken to be the Site boundary and its immediate environs only. The exception for this was for designated sites and great crested newt (GCN) *Triturus cristatus* details of the zone of influence for these features is provided in Section 3.2, below.

3.2 Desk Study

3.2.1 Data Search

In September 2022, available records of protected and notable species were collated from the local record centres, Leicestershire and Rutland Environmental Records Centre (LRERC) and Warwickshire Biological Record Centre (WBRC) along with the non-statutory designated sites from within 2 km of the Site centre.

A search for internationally, nationally and regionally designated statutory sites for nature conservation was undertaken using the Multi-Agency Geographic Information for the Countryside (MAGIC) website. The search radius was 6 km from the Site for internationally designated statutory sites and 2 km from the Site for nationally and regionally designated statutory sites. A search for non-statutory ancient woodland was undertaken within 2 km of the Site, and an assessment was made regarding the location of Habitats of Principal Importance (HPIs) on or near the Site using the MAGIC webpage.

A search for species data available on the MAGIC website was undertaken (i.e. granted European Protected Species Licence applications, GCN Class Survey Licence Returns and Natural England GCN Pond Survey Data 2017-2019).

In addition, free and publicly accessible Ordnance Survey maps and aerial photographs were searched for waterbodies on, or within, 500 m of the Site boundary. This information has been used to assess the Site for its potential to support GCN the results of which are found in Section 4.3.

3.3 Preliminary Ecological Appraisal Survey

The habitats on Site, were surveyed on 21st September 2022 by two Delta-Simons ecologists. Since access was not permitted to the surrounding land, it was visually assessed from the Site boundary.

The following was undertaken during the survey:

- Habitats were classified and mapped using the standard JNCC Phase 1 habitat classification and methodology (JNCC, 2010). Dominant plant species were recorded in each different habitat. The plant species nomenclature followed that of Stace (2010);
- Habitats were classified and assessed in terms of both their conservation importance and potential to support notable and/or protected species, and widespread invasive plants (based on habitat suitability and/or field signs/evidence);
- Habitats on-Site were surveyed for the presence of, or field signs to indicate the presence of protected or notable birds, amphibians, reptiles, mammals and widespread invasive plants. This included an external visual assessment of any trees/buildings on the Site for potential bat roost features and any evidence of bat activity, and an assessment of the Site's suitability to support commuting and foraging bats (Appendix B), in line with Collins (2016); and

- If Habitats of Principal Importance (HPIs) under the NERC Act 2006 were found to be present these were recorded. Further, an assessment of any hedgerows at the Site, which will be adversely affected by the proposed development, was undertaken using the hedgerow criteria outlined in the Hedgerow Regulations 1997. The purpose of the assessment was to ascertain whether the hedgerows are classified as 'nationally important' and, therefore, protected under the Hedgerow Regulations 1997. The assessment involves a scoring system which relies on particular features, number of woody and floral species present within the hedgerow habitat, and the age of the hedgerow.

3.4 Survey Limitations

The baseline conditions described in this Report were accurate at the time at which the survey was undertaken. Should at least two years pass by, and/or conditions on Site/Site usage change prior to the commencement of works, an update survey should be undertaken.

There were no limitations to the survey in terms of access or weather conditions.

3.5 Ecological Impact Assessment Methodology

An ecological impact assessment has been carried out following the principles set out within the Guidelines for Ecological Impact Assessment (EclA) in the UK and Ireland; Terrestrial, Freshwater, Coastal and Marine updated by the Chartered Institute of Ecology and Environmental Management (CIEEM) in 2019, the full details of which are provided in Appendix C.

4.0 Baseline Conditions

The following section describes the baseline ecological conditions at the Site, outlining the results of the desk study and field survey findings. Current management is anticipated to remain unchanged up until development and, therefore, baseline conditions at the time of writing this Report are anticipated to reflect those at the commencement of the Proposed Development. The conservation importance of the features identified have been evaluated using the geographical scale outlined in Appendix C.

The pertinent information from the data search is set out in section 5.1 below for designated sites, whilst data search records and any information gathered from previous reports for the species are discussed in the relevant species sections. Full results of the data searches are available to the Client on request.

4.1 Desk Study

4.1.1 Designated Sites

The results of the MAGIC data search and the LRERC and WBRC desk search indicate:

- No internationally designated statutory sites within 6 km of the Site;
- No nationally designated statutory sites within 2 km of the Site;
- No county designated statutory sites within 2 km of the Site; and
- Twenty-nine non-statutory designated sites within 2 km of the Site centre. These sites include 25 Local Wildlife Sites and four historic sites. Many are separated from the Site by the A5, Ashby Canal and existing urban development, or are designated trees such that they are not considered pertinent to this assessment. The closest LWS is Dismantled Railway LWS approximately 10 m west of the Site.

4.1.2 SSSI Impact Risk Zones

The Site falls within several SSSI Impact Risk Zones (IRZ) that require the Local Planning Authority (LPA) to consult with Natural England and assess planning applications for likely impacts on SSSIs for certain development types. The closest SSSI is Burbage Wood and Aston Firs SSSI 4 km to the north-east.

However, the criteria listed under the IRZs are not relevant to the Proposed Development and as such are not considered further within this report.

4.2 Habitats

Figure 2 shows the extent of habitat types identified during the survey and boundary features. Descriptions of the habitat types and dominant plant species found at the Site are provided below. Habitat descriptions are by broad habitat type, as listed in the Phase 1 Habitat Survey Manual (JNCC, 2010). Photographs of the Site survey are located in Appendix E.

Habitats recorded on Site are:

Poor Semi-Improved Grassland

The majority of the Site comprised poor semi-improved grassland that was being utilised by grazing cattle at the time of the survey and had a relatively short sward height. Species observed include perennial ryegrass *Lolium perenne*, dandelion *Taraxacum* agg., white clover *Trifolium repens*, common nettle *Urtica dioica*, buttercup sp., thistle sp. and broad-leaved dock *Rumex obtusifolius* (Photograph 1). Further grassland extended along the roadside verge which was dominated by perennial ryegrass and occasional dandelion, with frequent ruderals including nettle *Urtica dioica*.

Tall Ruderals

In the north-east of the Site, a gap in the boundary hedgerow had become colonised by ruderal vegetation, dominated by nettles, with frequent bramble *Rubus fruticosus* agg. encroaching.

Intact Species-Poor Hedgerow

A wide hedgerow bordered the field to the north-east, whilst a field boundary hedgerow characterised the north-western Site boundary. The hedgerows were species-poor, dominated by hawthorn *Crataegus monogyna* and blackthorn *Prunus spinosa* (Photograph 2), and had not been recently managed. Neither hedgerow contained sufficient woody species or other features to be deemed 'Important' according to the Hedgerow Regulations, however, they do qualify as HPI's.

Line of Trees

A line of Leyland cypress *Cupressus × leylandii* trees characterised the south-western corner of the Site. These were approximately 16 m in height and formed part of a longer tree line extending to the south.

Developed land: Sealed Surface

A section of the A5 is included within the Site boundary.

Habitats at the Site are considered to be of no more than local value.

4.3 Species

Amphibians

The data search did not reveal any records of amphibians pertinent to the Site, or with connectivity to it. One EPS licence for GCN was identified from MAGIC approximately 1.3 km north-west from the Site in 2017.

A review of aerial photographs and OS maps revealed one pond within 500 m of the Site, located approximately 150 m on the opposite side of the A5 to the main area of the Site. The main area of the Site lacked suitable terrestrial habitats to support amphibians. Whilst the roadside verge on the southern aspect of the A5 offers limited terrestrial habitat it is isolated from the pond by the busy road. Furthermore, the pond is surrounded by optimal terrestrial habitat such that dispersal of amphibians away from the immediate area is considered unlikely. Amphibians are not considered to be a constraint at this Site and are not considered further within this Report.

Reptiles

There were four records of grass snake *Natrix helvetica* found within 2 km of the Site centre within the last 10 years, however, all are over 1 km from the Site and have no connectivity to it.

The Site lacked suitable structural habitat and connectivity to other suitable habitat such that reptiles are considered likely absent from the Site. Reptiles are not considered to be a constraint at this Site and are not considered further in this Report.

Birds

There were no records of notable birds of relevance to the Site returned by the records centre within 2 km of the Site centre and within the last 10 years.

Habitats featured on the Site suitable for nesting birds, include: the line of coniferous trees at the south-east boundary and the hedgerows on and immediately adjacent to the Site. Bird species recorded at the time of the survey included: wood pigeon *Columba palumbus* (listed on the Amber List of Birds of Conservation Concern (BoCC) Stanbury *et al.* 2021), robin *Erithacus rubecula* and great tit *Parus major*. It should be noted that this is not a comprehensive inventory of the bird species which may be present at the Site.

The geographic value of birds is considered to be local.

Bats

The data search identified numerous records of bats within 2 km of the Site centre within the last 10 years. Many of which were recorded to be associated with Ashby Canal or an area of woodland more than 500 m from the Site.

No EPS licences for bats were identified from MAGIC within 2 km of the Site.

The habitats on Site offer suitable bat foraging habitat, particularly associated with the boundary trees and hedgerow. Current light levels are anticipated to be limited to spill from the adjacent road.

None of the trees on Site were considered to support roosting potential.

The geographic value of bats is considered to be local.

Badgers

The data search identified seven records of badger within 2 km of the Site centre within the last 10 years, the location of which has not been included in this Report due to welfare issues, however, none are associated with the Site itself or the immediate surrounding area.

The Site did not support any evidence to indicate that badgers were using or inhabiting it. There were no sett entrances, latrines, snuffle holes, or badger dung found on-Site. The grassland may offer limited opportunities for foraging, with connectivity to other suitable habitat in the local area.

The geographic value of badger is considered to be local.

Other Protected or Otherwise Notable Species

The data search returned 34 records of west European hedgehogs *Erinaceus europaeus* within 2 km of the Site centre within the last 10 years. The closest and most recent record is 1.03 km north-west of the Site. The hedgerows on and immediately adjacent to the Site offer opportunities for hedgehogs, although habitat suitability and connectivity in the wider landscape is limited. The geographic value of hedgehog is considered to be local.

The Site itself does not offer any opportunities for otter *Lutra lutra*, however, Sketchley Brook is situated approximately 130 m south-east of the Site and may offer opportunities for this species. If present, there is a low risk of individuals venturing across the Site. The geographic value of otter is considered to be local.

Invasive Non-Native Species

No invasive non-native species were recorded on-Site, such that they are not considered further within this Report.

4.4 Summary of Important Ecological Features and Geographic Value

The species scoped out as important ecological features above due to their likely absence from Site cannot experience effects from the Proposed Development and are not therefore considered below.

The 'important ecological features' identified above with the potential to experience effects as a result of the Proposed Development are listed in Table 1 below, along with their geographic importance. These features will be the subject of the ecological impact assessment in section 5.0.

Table 1 - Identified Important Ecological Features

Important Ecological Feature	Geographic Value
Designated Sites	Local
Habitats	Local
Bats	Local
Nesting Birds	Local
Hedgehogs	Local
Badgers	Local
Otter	Local

5.0 Assessment of Effects

The evaluation in this section is based on the baseline information presented above, review of design proposals, consultation with the design team, knowledge of likely construction practices to be employed, and reasonable assumptions regarding operation.

For purposes of the assessment, it is assumed there has been no change in the condition of the Site since the Site survey (unless otherwise stated).

5.1 Important Ecological Features for Which No Effect is Anticipated

No adverse effects on the majority of the non-statutory designated sites are anticipated, owing to the size and nature of the Site, the type of development, and the relative separation of the Site from these designated sites. Furthermore with the application of standard environmental best practice, are anticipated to mitigate potential impacts from dust in relation to the Dismantled Railway LWS.

5.2 Important Ecological Features and Potential Effects

5.2.1 Habitats

Potential Impacts and Effects During Construction and Operation

During Construction

The habitats present on Site are widespread on both a local and national scale, with none of the habitats being considered rare. However, the hedgerows at the Site boundaries qualify as Habitats of Principal Importance and provide a wildlife corridor for a range of species of mammals, birds and invertebrates across the landscape. The hedgerow along the north-eastern boundary will be lost to facilitate access and associated visibility splays to the development. However, new hedgerow planting is proposed along the western boundary which will enhance connectivity in this area of the Site and new hedgerow is proposed along the north-eastern boundary, set back from the current position to replace this linear corridor.

The Development Proposals will result in the loss of the on-Site grassland, however, this is considered to be of limited ecological value since it lacks floral diversity due to the grazing management regime. The proposed landscape scheme incorporates a flowering lawn mix which aims to promote floral diversity and provide ecological benefits whilst being appropriate to the location and use of the Site.

The proposed development will also result in the loss of conifer trees at the south-east corner. These are to be partially compensated by the inclusion of native trees in the west of the Site.

In the absence of protection during construction there is the potential for negative effects upon any retained habitats (e.g. adjacent trees and hedgerows) due to physical harm from Site clearance/construction works such as damage from machinery. For example, any construction works within proximity to the retained trees have the potential to cause damage to the structure, roots and health of the trees.

Without mitigation, the Proposed Development has the potential to have a minor adverse effect that is not significant.

During Operation

If habitats planted during construction are not managed appropriately during operation, then there is the potential for additional biodiversity loss from the Site.

Without mitigation, the Proposed Development has the potential to have a minor adverse effect that is not significant.

Avoidance and Mitigation

During Construction

Retained habitats must be adequately protected during the construction phase of works in accordance with BS 5837 (2012) and the Arboricultural report prepared for the Site.

During Operation

An appropriate landscape management plan will be followed to promote the long-term biodiversity value of any retained habitats and those proposed habitats.

Assessment of Residual Effects

Following the application of the above mitigation measures, the potential residual effects are considered to be negligible and of neutral significance.

5.2.2 Birds

Potential Impacts and Effects During Construction and Operation

During Construction

The construction phase will result in the loss of trees at the south-east of the Site and hedgerow to the north-east to facilitate access/visibility splays. There is, therefore, potential for direct adverse effects on nesting birds that are permanent in nature as a result of such clearance.

In addition, construction works being carried out within proximity to nesting birds may affect them indirectly, depending on the works being carried out, and the species of bird affected. Noise and vibration disturbance effects may result in birds being repeatedly flushed off nests, causing disruption to feeding activity, or even abandonment of nests. This is considered to be a temporary impact.

Further to the potential direct effects on birds whilst they are actively nesting, the removal of suitable vegetation will result in the direct loss of available bird nesting habitat, as well as a loss of foraging opportunities. However, the proposed landscape scheme is considered to compensate and provide alternative provision for bird species at the Site.

The overall impacts of the construction phase are considered to have a minor adverse impact that is not significant.

During Operation

If habitats planted during construction are not managed appropriately during operation, then there is the potential for disturbance to nesting birds.

Without mitigation, this is considered likely to have a minor adverse effect that is not significant.

Avoidance and Mitigation

During Construction

Where practicable, vegetation clearance at the Site will be undertaken outside of the main nesting bird season (i.e. clearance carried out between September and February inclusive). Conflict with the development can be avoided by managing the land to discourage nesting birds up to the works commencing.

If these works cannot be restricted to within this period, an Ecological Watching Brief will be maintained during the main bird breeding season to ensure that no nesting birds are adversely affected. This will entail checking all suitable habitat for nesting birds due to be removed, and a buffer of at least 10 m beyond that

area, by a suitably qualified ecologist prior to the commencement of works. If, during the Ecological Watching Brief, birds are found to be within the area due to be cleared or the buffer zone, measures to prevent any disturbance to breeding birds, including the cessation of tree and vegetation clearance, or construction works in areas close to breeding sites until the birds have completed breeding, will be put in place until the chicks have fledged.

During Operation

A LEMP will be in place in order to ensure newly planted habitats are managed to maximise foraging opportunities for birds, and to prevent destruction or damage to nests in-use.

Assessment of Residual Effects

Following the application of mitigation measures during the construction and operation phase of works, the potential residual impacts of the Proposed Development on birds are considered to be negligible and of neutral significance.

5.2.3 Bats

Potential Impacts and Effects During Construction and Operation

During Construction

The construction phase of works has the potential to result in temporary increased lighting and noise. However, it is anticipated that during the main active bat season (April-October, inclusive), construction works will generally cease or be winding down before dusk when bats emerge and will not begin before dawn when bats return to roosts. Therefore, generally artificial lighting will not be required, and as such there are not anticipated to be any negative effects upon bat populations. In certain circumstances, however, in late autumn or early spring when daylight hours are limited but weather conditions may be suitable for bats to be active, there may be a brief overlap between bat activity and on-Site construction works. During this period, lighting may be required to enable the construction works to progress and this, along with any associated noise, may temporarily alter bats' foraging and commuting activity across an area of the Site. However, the combined effects of lighting and noise from construction works during these occasional circumstances would only be a temporary deterrent to foraging and commuting bats in a concentrated area, and not across the wider Site and this is not anticipated to have any adverse impact upon bats. Therefore, when also considering the overall suitability of the Site, lighting and noise during the construction phase of the Proposed Development is considered to represent a negligible effect, which is of neutral significance.

During Operation

The majority of boundary hedgerows are to be retained and protected or replaced and will continue to provide suitable foraging and commuting habitat across the Site and into the wider landscape for bats. Furthermore, hedgerow planting on the western boundary is anticipated to create an additional potential corridor for foraging and commuting bats.

The Proposed Development and associated lighting scheme will increase light levels on-Site, however, this has been designed to minimise unnecessary light spill onto the vegetated boundaries as far as possible. Increased lighting and anthropogenic activity may deter bats from using both on-Site habitat and those bounding the Site, however, given the extent of opportunities within the surrounding area and low quality-habitats currently present on-Site, this is considered to have a minor adverse effect that is not significant.

Avoidance and Mitigation

Given the anticipated effects, no further mitigation measures are required.

Assessment of Residual Effects

The residual effects on bats are considered to be minor adverse and non-significant.

5.2.4 Badgers, Hedgehog and Otter

Potential Impacts and Effects During Construction

During Construction

Whilst no evidence of these species was recorded during the survey, individuals may disperse across the Site from adjacent habitats and, therefore, there is the direct risk of harm during vegetation clearance and should they fall into pits or trenches left open overnight during the works. Should any become trapped they may be at greater risk of predation, starvation and susceptibility to extreme weather conditions. Clearance of the hedgerow has the potential to harm any hedgehog that may be present. In the absence of mitigation this could result in a minor adverse effect that is non-significant.

During Operation

Increased vehicle use of the Site following the development may result in increased risk of road casualties for hedgehogs, should they access the Site, however, when considering the setting of the Site and surrounding land uses, this is considered to have a minor adverse effect that is non-significant.

Avoidance and Mitigation

During Construction

During the construction phase of works, no open pits or trenches will be left uncovered or alternatively without a mammal escape ramp overnight, and pipework will be capped overnight to prevent mammals accessing them and becoming trapped.

Clearance of the hedgerow and shrubs should be undertaken with an awareness for the potential presence of hedgehog. Clearance should be undertaken during the active season (May-September, inclusive), and any individuals found moved carefully with gloved hands to an area of suitable habitat away from the working area. With mitigation in place any effect is considered to be neutral and, therefore, non-significant.

Assessment of Residual Effects

The potential residual impacts on hedgehog are expected to have a minor adverse effect that is non-significant. Residual effects on badger and otter are considered to be negligible.

5.3 Cumulative Effects

Given the nature of the development and non-significant effects on any of the identified important ecological features, no other schemes have been identified for which the Site may contribute to an in-combination cumulative effect on ecologically important features within the ZOI of the Site.

6.0 Conclusions

The habitats present on Site are widespread, in both a local and national context. Whilst there is likely to be a temporal delay in achieving the biodiversity objectives for the Site (i.e. whilst new habitats become established), it is anticipated that in the long term there will be no significant residual effects on habitats or protected species resulting from the Proposed Development.

7.0 Disclaimer

The recommendations contained in this report represent Delta-Simons' professional opinions, based upon the information referred to in Section 1.0 of this report, exercising the duty of care required of an experienced Ecology Consultant. Delta-Simons does not warrant or guarantee that the Site is free of bats or other protected species.

The behaviour of animals can be unpredictable and may not conform to characteristics recorded in current scientific literature. This report, therefore, cannot predict with absolute certainty that animal species will or will not occur in apparently suitable locations or habitats or that they will not occur in locations or habitats that appear unsuitable.

No part of the survey included an assessment of the materials and conditions of any buildings. No part of the survey included an asbestos assessment, nor did it represent an appraisal of other deleterious materials or hazardous substances.

This report was prepared by Delta-Simons for the sole and exclusive use of the Client and for the specific purpose for which Delta-Simons was instructed as defined in Section 1.0 of this report. Nothing contained in this report shall be construed to give any rights or benefits to anyone other than the Client and Delta-Simons, and all duties and responsibilities undertaken are for the sole and exclusive benefit of the Client and not for the benefit of any other party. In particular, Delta-Simons does not intend, without its written consent, for this report to be disseminated to anyone other than the Client or to be used or relied upon by anyone other than the Client. Use of the report by any other person is unauthorised and such use is at the sole risk of the user. Anyone using or relying upon this report, other than the Client, agrees by virtue of its use to indemnify and hold harmless Delta-Simons from and against all claims, losses and damages (of whatsoever nature and howsoever or whensoever arising), arising out of or resulting from the performance of the work by the Consultant.

Figure 1 - Site Location Plan

Figure 2 - Habitat Plan



- Legend**
- Site boundary
 - SI Poor semi-improved grassland
 - Tall ruderal
 - Hardstanding
 - Intact hedge - species-poor
 - Intact hedge - species-poor
 - Line of trees

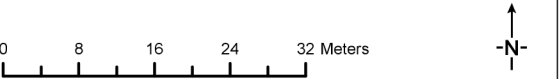


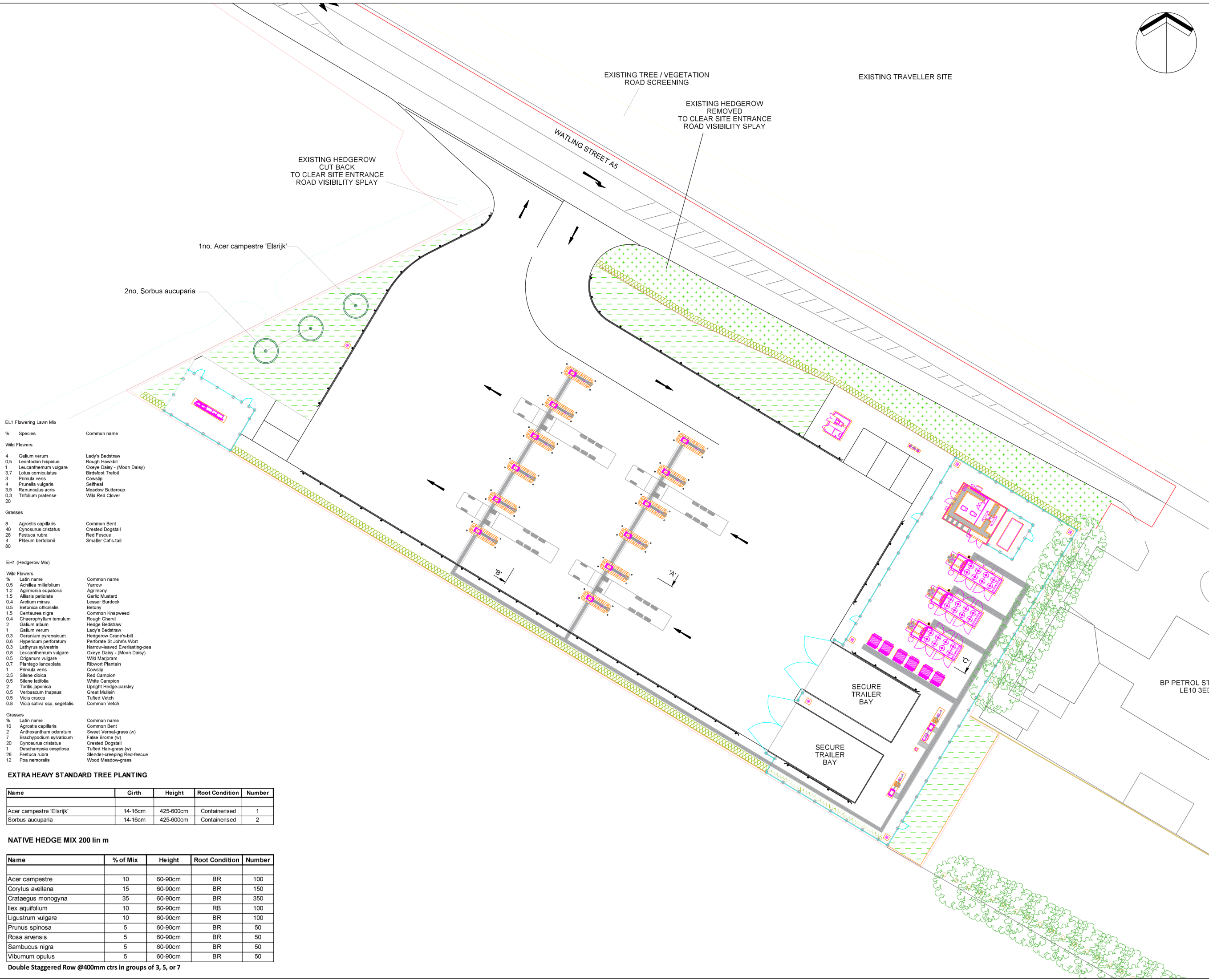
Figure	Habitat Plan				
Job	CNG Hinckley Watling Street				
Client	CNG Fuels				
Figure No.	3	Revision	A	Date	05/06/2023
Drawn	KH	Checked	JB	Scale	1:800 @ A3
Job No.	22-1826.01			Central GR	440719E 292594N



DO NOT SCALE.
NOT FOR CONSTRUCTION.



Drawing 1 - Landscape Proposals



KEY

- EXISTING HEDGE TO BE RETAINED
- PROPOSED NATIVE HEDGE PLANTING - 200 lin m
- PROPOSED EHSTD TREES
- PROPOSED EL1 FLOWERING LAWN MIX GRASS SEED - 690m²
- PROPOSED EH1 HEDGEROW MIX GRASS SEED - 400m²
- PROPOSED 2.4m HIGH, CLOSE BOARDED TIMBER BOUNDARY FENCE
- PROPOSED 2.4m HIGH, V-MESH BOUNDARY FENCE
- PROPOSED 2.4m HIGH, SECURITY PALISADE FENCE

NOTES:

PLANTING OPERATIONS SPECIFICATION

TOPSOIL
Imported topsoil for tree pits and hedge shall comply with BS 3882 and shall be good quality, medium topsoil loam, acid or slight acid (ph not less than 5.0), stones not greater than 50mm in any dimension, perennial weeds and any other foreign matter, free from chemical or other polluted subsoil, weeds, straw, sticks, stones, clay lumps and other deleterious material. Topsoil containing a significant proportion of subsoil or other foreign matter will not be accepted on the site. On no account shall topsoil be brought on the site in excessively wet conditions or in a water logged state. It shall be from an approved source, shall be fertile with a humus and fibre content and shall have a good crumb structure with medium texture.

All areas of wildflower grass seeding shall be made up of low nutrient sub-soil to assist establishment and maintenance of the meadow grasslands.

TREE PLANTING
Extra Heavy Standard tree pits shall be 1m x 1m x 0.75m. The bottom 150mm of each tree pit to be broken up to assist drainage. Compacted ground to be broken up. Backfill shall be excavated material with 50:50 mixed with peat free tree planting compost (Sample to be approved) for the top 300mm and excavated sub soil for the bottom 450mm. 4No Sierrablend gro-gabs to be incorporated into each planting pit.

All EHStd and Standard trees shall be short double staked, 300mm to be driven into the ground and 600mm maximum above ground. A flexible webbing cross bar within 25mm of the top of the stake shall be used and fixed to the trunk with expandable ties. Each tree shall have a 50mm diameter perforated plastic irrigation pipe, with plastic cap, wrapped in a circle above and around the sides of the rootball.

HEDGE PLANTING
Whip planting areas shall be cultivated to the full depth of the topsoil and bare root stock notch planted to accommodate the full depth of the roots. Planting density shall be as set out in the accompanying schedules and the layout shall be random, in groups of no less than 3 or more than 7 of the same species, ensuring that no three plants are aligned in any one direction. Each whip shall be protected with a biodegradable spiral tree guard, 0.6m high x 130mm diameter, supported by a single timber stake placed to prevent the natural movement of the tree being impeded or restrict growth.

WILDFLOWER SEEDING
Seeding to occur during August/September. All noxious weeds to be spot sprayed until meadow area fully established. Any areas of failure to be re-seeded. Grass seed mix shall be Emorsgate (or similar approved by the LPA) EL1 Flowering Lawn Mix, 690m², and EH1 Hedgerow Mix, 400m², sown at a rate of 5g/m².

Rev C	26.05.23	Layout amended	DR	AG
Rev B	16.05.23	Layout amended	DR	AG
Rev A	10.05.23	Layout amended	DR	AG

TGP LANDSCAPE ARCHITECTS

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Project	HINCKLEY WATLING STREET CGN STATION			
Title	LANDSCAPE PROPOSALS			
Date	Scale	Drawn	Checked	
17.04.23	1:250 @ A1	DR	AG	
Job	Suitability	No.	Issue	Revision
D333	-	D333.L.001	EXT	C
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DISCLAIMER: Do not scale from this drawing. All dimensions to be verified on site prior to commencement of works. Drawing to be read in conjunction with related TGP drawings, consultants drawings and any other relevant information. This drawing is the copyright of TGP Landscape Architects Ltd, unless otherwise specified.				

Appendix A - References

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Appendix B - Assessment of Structures, Trees and Habitats for Bats

Assessment of Structures, Trees and Habitats for Bats

Suitability	Description	
	Roosting	Commuting and Foraging
Negligible	An inspected structure or tree which is considered to have no features of importance for roosting bats. No further constraints apply to the method or timing of proposed works.	Negligible habitat features on-Site to support commuting or foraging bats.
Low	A structure with at least one or more features suitable to support opportunistic individual bats. However, inadequate space, shelter, protection and conditions, and the low suitability of surrounding habitats means that it is unlikely to be used as a maternity or hibernation roost site. A tree of adequate age and stature to support potential roosting features, however, either no features, or only features of limited potential recorded from the ground.	Habitat with potential to support low numbers of commuting bats due to its quality and connectivity. For example, a gappy hedgerow or unvegetated stream that is isolated from the surrounding landscape. Alternatively, suitable but isolated habitats suitable to support low numbers of foraging bats such as a lone tree or a patch of scrub.
Moderate	A structure or tree with one or more potential roost sites that are of adequate size, shelter and protection, with suitable conditions and surrounding habitat to support a bat roost not of high conservation status (with respect to roost type not individual species conservation status).	Linear habitat continuity connecting to the wider landscape offering potential to support commuting bats, such as rows of trees and scrub or linked back gardens. Habitat such as trees, scrub, grassland or a waterbody with connectivity to the wider landscape offering foraging opportunities for bats.
High	A structure or tree with one or more potential roost sites that are suitable for use by large numbers of bats on a regular basis and for long periods of time due to their size, shelter, protection, conditions and the surrounding habitat.	Continuous high-quality habitat with strong connectivity to the wider landscape that is likely to be used by commuting bats on a regular basis, such as flowing waterbodies, hedgerows, rows of trees and woodland edges. High quality habitat with strong connectivity to the wider landscape that is likely to be regularly used by foraging bats, such as broadleaved woodland, tree-lined watercourses and grazed parkland. Site is close to, and connected to, known roost sites.

Guidance on Assessing the Potential Suitability of Development Sites to Support Bats (adapted from Collins, J. (ed)).

Appendix C - Ecological Impact Assessment Methodology

Ecological Impact Assessment Methodology

The methodology for the EclA follows the principles set out within the Guidelines for Ecological Impact Assessment (EclA) in the UK and Ireland; Terrestrial, Freshwater, Coastal and Marine updated by the Chartered Institute of Ecology and Environmental Management (CIEEM) in 2019 and comprises a staged approach to assessing the potential impacts resulting from the proposed development on the ecological features within the ZOI.

The EclA has involved the following stages:

- Determination of baseline conditions;
- Identification of important ecological features;
- Identification of potential impacts and effects;
- Identifying likely significant effects;
- Designing appropriate avoidance and/or mitigation for impacts and effects;
- Assessment of residual effect significance;
- Assessment of cumulative impacts and effects; and
- Identification of compensation and enhancement measures.

Baseline Conditions

Baseline conditions have been established following the methodology outlined in the above sections.

Important Ecological Features

Important ecological features have been identified based on existing statutory, policy and conservation objectives. In accordance with the CIEEM Guidelines the value or potential value of an ecological resource has been determined within a defined geographical context in line with the table below.

Potential Impacts and Effects

The potential impacts on any important ecological features are identified during construction and operation, and prior to any mitigation, based on available baseline data, an assessment of design proposals and construction methods, and available information on the existing conservation status of the features in question.

Impacts are then characterised in terms of the following attributes:

- Positive or negative - i.e. a change that improves or reduces the quality of the environment;
- Magnitude - i.e. the size of an impact in quantitative terms where possible;
- Extent - i.e. the area over which an impact occurs;
- Duration - i.e. the time for which an impact is expected to last;
- Reversibility - i.e. is the impact permanent or temporary; and
- Timing and frequency - e.g. related to breeding seasons.

The likely effects of potential impacts on important ecological features largely depend upon their sensitivity, whilst the level of certainty that an impact will occur as predicted is based on professional judgment. Only the impacts likely to result in significant effects have been described in detail within the report. Impacts that are either unlikely to occur, or if they did occur are unlikely to be significant have been scoped out and justification for scoping out provided.

Geographic Scale	Example Criteria for Classification at each Geographic Scale
International	Habitats meeting the criteria for Wetlands of International Importance (Ramsar), Special Area of Conservation (SAC) or Special Protection Area (SPA) site. A species present in internationally important numbers (>1% of international population). Notable species which is part of the cited interest of an SPA or SAC and which regularly occurs in internationally or nationally important numbers.
National	Habitats meeting the criteria for a Site of Special Scientific Interest, Marine Conservation Zone (MCZ), or National Nature Reserve (NNR). A species present in nationally important numbers (>1% of UK population). A species which is part of the cited interest of a SSSI and which regularly occurs in internationally or nationally important numbers. Rare breeding species (e.g. birds with <300 UK breeding pairs).
Regional	A local site with important regional habitats or significant populations of Species of Principal Importance (SPIs) under the NERC act. Species present in regionally important numbers (>1% of regional population). Species listed as priority species, which are not covered above, and which regularly occur in regionally important numbers. Sustainable populations of a species that is rare or scarce within a region. Species on the Birds of Conservation Concern (BoCC) Red or Amber List and which regularly occur in regionally important numbers.
County	A local site with a habitat that is characteristic of the county or rare on a county scale, or with significant populations of locally important species. Species present in county important numbers (>1% of county population). Species listed as priority species, which are not covered above, and which regularly occur in county important numbers. Sustainable population of a species that is rare or scarce within a county. A site designated for its county important assemblage of species. Species on the BoCC Red or Amber List and which regularly occur in county important numbers.
Local	A site which has wildlife corridors likely to be essential to allow viable movement of species or improve the biodiversity of the area. Species listed as priority species, which are not covered above, and are rare in the locality. Species present in numbers just under county importance (<1% of county population). Sustainable population of a species that is rare or scarce within the locality. A site whose designation is just under for inclusion for its county important assemblage of a particular species on site. Other species on the BoCC Red or Amber List and which are considered to regularly occur in locally important numbers.

Likely Significant Effects

In accordance with the CIEEM guidelines, an ecologically significant effect is 'an effect that either supports or undermines the biodiversity conservation objectives for 'important ecological features' or for biodiversity in general'.

Using an approach to valuing impacts that involves professional judgement and reference to available conservation objectives, neutral and minor effects are considered to be not significant, while moderate and major effects are assessed to be significant. The table below provides a comparison of the terms used.

Effect Significance	Type of Effect	Equivalent CIEEM Assessment
Significant	Major beneficial	Significant positive impact on biodiversity conservation objectives at given geographical context
	Moderate beneficial	Positive impact on biodiversity conservation objectives at given geographical context
Non-significant	Minor beneficial	Limited positive impact on biodiversity conservation objectives at given geographical context
Neutral	Negligible	No significant impact on biodiversity conservation objectives at given geographical context
Non-significant	Minor adverse	Limited adverse impact on biodiversity conservation objectives at given geographical context
Significant	Moderate adverse	Adverse impact on biodiversity conservation objectives at given geographical context
	Major adverse	Significant adverse impact on biodiversity conservation objectives at given geographical context

The evaluation of significant effects has been based on the best available scientific evidence. Where sufficient evidence is not available, the precautionary principle has been applied. Therefore, where it is not possible to robustly justify a conclusion of no significant effect, a significant effect has been assumed. Any uncertainty has been acknowledged within the report.

Avoidance and/or Mitigation

Negative impacts have been avoided and/or mitigated where possible, in line with the mitigation hierarchy as presented within the CIEEM Guidelines.

Assessment of Residual Effect Significance

Once the impacts of the proposed development have been assessed, and all attempts to avoid and mitigate ecological impacts have been finalised, an assessment of the residual impacts is undertaken to determine the significance of their effects upon ecological features.

Cumulative Impact Assessment

The following types of future development within the same zone of influence have been considered as part of the cumulative impact assessment in relation to each important ecological feature:

- Proposals for which consent has been applied which are awaiting determination and are visible on the local planning portal;

- Projects which have been granted planning consent, but which have not yet been started or which have been started but are not yet completed (i.e. under construction); and
- Proposals which have been refused permission but which are subject to appeal and the appeal is undetermined.

Compensation and Enhancement

Compensation measures were taken to offset residual effects resulting in the loss of, or permanent damage to ecological features despite mitigation, where required. Compensation has only been considered as a last resort, in line with the mitigation hierarchy.

Enhancement measures have been agreed over and above any mitigation or compensation measures, in order to provide a biodiversity net gain.

Appendix D - Site Photographs

Site Photographs



Photograph 1 - Improved grassland with coniferous trees at the south-eastern boundary



Photograph 2 - Improved grassland and hedgerow at the north-western boundary