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|-------------------------|------------------------------------------------------------------|--------------------------|--------------------------------|
| <b>Site Name</b>        | Land South West Of Sutton Lane<br>Market Bosworth Leicestershire | <b>Advice Request</b>    | Ecology                        |
| <b>Planning Ref</b>     | 23/01102/FUL                                                     | <b>Response Deadline</b> | 19 <sup>th</sup> December 2023 |
| <b>Planning Officer</b> | Matt Jedruch                                                     | <b>Completed By</b>      | Kirsten Hunter<br>BSc ACIEEM   |
| <b>Date of Request</b>  | 28 <sup>th</sup> November 2023                                   | <b>Date of Issue</b>     | 14 <sup>th</sup> December 2023 |

**Stance: Object subject to further survey**

Dear Matt,

I am writing in respect of ecological matters for the above application concerning the erection of a detached dwelling. I have accessed the Leicestershire and Rutland Environmental Records Centre (LRERC) and Hinkley & Bosworth's Borough Council's online planning portal and reviewed the following planning documents:

- Preliminary Ecological Appraisal (PEA) report by Elton Ecology issued Oct 2023;
- Biodiversity Net Gain (BNG) report by Elton Ecology issued April 2023;
- Design and Access plans; and
- Location plans.

**Preliminary Ecological Appraisal (PEA)**

A PEA walkover was undertaken in June 2022 using UKHabs classification. As per CIEEM's 2019 *Advice Note: On the Lifespan of Ecological Reports and Surveys*, for reports between 18 and 3 years' old, a professional ecologist should undertake a Site visit to ensure the data within the PEA is still valid and, if necessary, update the PEA, and provide appropriate justification if this is deemed unnecessary. As this report is 18 months old, an update Site walkover should be considered. Overall, a detailed and well-written report. The following queries are raised and require clarification:

- Clarification is sought on definition of 'site'. Figure 1 (Section 6 of the PEA) indicates the 'site boundary' as a red line and 'survey area' by a blue line boundary. Descriptions of 'site' appear to follow the blue line boundary. However, appraisal for some protected species (e.g. pond distance for great crested newts) appears to follow the red line boundary. Also, if known, the extent of works and habitat removal in relation to these boundaries should be stated;
- Impacts on Local Wildlife Site (LWS) Bosworth Road Verges and Hedgerows should be considered given proximity to the development and proposed removal of hedgerow to facilitate the works (as indicated in 'Habitats' section of Table 12). Recommendations should be made to prevent degradation to this habitat through inappropriate hedgerow removal;

- Further recommendations on protection of priority habitats on Site should be suggested, including establishment of buffer zones and root protection areas. This can be provided within a Construction Environmental Management Plan (CEMP);
- Buildings B1a to B1c were assessed as low potential for bats, however nocturnal bat presence/absence surveys have not been completed to industry standard guidance as stated in Table 7.1 (page 72) for the Bat Conservation Trust good practice guidelines 4<sup>th</sup> edition. For buildings assessed as low potential, a single nocturnal presence/absence survey should be undertaken between May and August. While these buildings received the required single survey, this was undertaken in September, outside of appropriate survey timings. 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 surveys are carried out on this building at an appropriate time of year or justification is provided to explain why the survey was carried out in September;
- A Ground Level Tree Roost Assessment (GLTA) for bats is stated to have been carried out in Section 2.6 of the PEA, however no results have been provided. The results of the GLTA and any recommendations on nocturnal bat surveys should be made available for review. Any recommended emergence/re-entry surveys should be carried out;
- Commuting and foraging habitat for bats has not been categorically defined in the report in accordance with industry standard terminology (e.g. 'low', 'moderate' or 'high'). Habitat should be assessed in terms of suitability and, if removal of suitable habitat is anticipated, an appropriate level of activity surveys should be carried out as per Table 8.3 (page 79) of the Bat Conservation Trust good practice guidelines 4<sup>th</sup> edition. The habitat identified on Site suggests at least moderate suitability for bats which, as a minimum, should comprise transect and automated detector surveys completed one per season (Spring - April/May, Summer – June/July/August, Autumn – September/October) totalling at least three surveys between May and October, with further surveys should levels of activity require further observation;
- Regarding great crested newts, clarification is sought on which search radius was used for ponds. A search radius of 250m from the 'site' was stated in Section 2.4 of the PEA. However, Table 9 and Figure 5 suggest this is 500m. Justification is sought as to why Habitat Suitability Index (HSI) assessments for great crested newts were not recommended for the seasonally wet ditches bounding the south-eastern and western Site boundary (described in Section 1.3 of the PEA) and for Pond P2 (indicated on Figure 5, PEA). Given the proposed development plans which seek to change habitat throughout the blue line boundary through planting and wetland creation, it is recommended HSI and eDNA are carried out;

- 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;
- LRERC indicates the presence of suitable water vole habitat associated with the fish pond immediately SE of the blue line boundary. The PEA indicates that the habitat along the Sutton Brook, which appears to connect to the fish pond and bounds the Site's southern boundary, was suitable for water vole. Therefore, it is recommended that a water vole survey is conducted along the Sutton Brook;
- No specific measures are in place to safeguard priority species including brown hare and hedgehog. Therefore, a robust Reasonable Avoidance Measures Method Statement (RAMMS) should be produced to protect these species. This RAMMS should include measures to protect breeding birds including ground nesting birds, badger and common amphibians. This should be implemented prior to commencement of works and should form a pre-commencement planning condition.

### **Biodiversity Net Gain (BNG)**

The BNG assessment shows the landscape plan used for the created habitats achieves a net gain of +49.04% of habitat units and +14.09% for hedgerow units, with trading rules satisfied. Clarification is required on the following points:

- The Biodiversity Metric calculation should be provided for review along with the BNG report; and
- The original landscape plan used for the post-development habitats should be provided for clarity, including date, drawing and revision number. Further BNG assessments should be completed after the feasibility stage as the design progresses to ensure the landscape designs are on track to achieving the agreed net gain;

In general, the following should be undertaken as pre-commencement planning conditions:

- Should works not have commenced within 12 months, an update badger survey should be advised to be undertaken 12 months after the Site walkover 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;



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- 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 Jan 2024.
- Production of a Construction Environmental Management Plan (CEMP); and
- Establishment and management of ecological enhancements recommended in Section 7 of the BNG, including bat roosting loft, bird nesting enhancements and invertebrate bricks should be included in a Biodiversity Enhancement Management Plan (BEMP).

Yours sincerely,



**Dr Kirsten Hunter** BSc, ACIEEM

**Senior Ecologist**

**On behalf of Leicestershire County Council (Ecology Team)**



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