Ecology Addendum Report

Land situated to the east of Brascote and south of Arnold's Crescent

October 2024

TG Report No. 16602_R02_EJ

Tyler Grange

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Plans:

Summary

S.1. This report has been prepared by Tyler Grange Group Limited on behalf of Richborough Estates Ltd. It is an addendum report to, and should be read in conjunction with, the previously submitted Ecological Impact Assessment (EcIA) (TG Reference: **16602_R04a_EcIA_EJ_180724**).

S.2. This report sets out the findings of further ecological surveys relating to bats, undertaken at a parcel of land situated to the east of Brascote Lane and south of Arnold's Crescent, Newbold Verdon (OS Grid Reference SK 44864 03304).

S.3. The planning application boundary extends in total to 13.77ha hectares (hereinafter referred to as the "Combined Site"), which comprises the following:

- 6.91 hectares of land to the east of Brascote Lane and south of the Thurlaston Brook, which benefits from an extant planning permission under reference 22/00277/OUT, for the purpose only of providing access/egress to the public highway known as Brascote Lane (Phase 1) and;
- 6.86 hectares of land to the south of Arnold's Crescent and north of the Thurlaston Brook, for up to 135 dwellings with associated landscaping, open space, drainage infrastructure and associated works (all matters reserved except access from Brascote Lane Phase 2).

S.4. On the basis that Phase 1 has the benefit of planning permission, the scope of this addendum focusses upon the outline planning application for Phase 2, (hereinafter referred to as the "Site").

S.5. The 'extended' Phase I survey undertaken as part of the EcIA identified the site as having potential to support foraging and commuting bats, and as such nighttime bat walkover surveys and the deployment of static bat detectors were completed.

S.6. Bat activity during the 2024 activity surveys was generally low, with the majority of activity being pipistrelle species recorded throughout the site, along boundary vegetation features, including woodland edge, treelines and hedgerows. The assemblage of bats utilising the site are considered to be of no more than local ecological importance.

S.7. The landscape strategy will provide new habitat creation, including tree and hedgerow planting, grassland managed for both amenity and biodiversity, attenuation features, scrub and shrub planting, along with the retention of mature trees, woodland and the majority of existing hedgerows and treelines. This will provide new opportunities for a wide range of bat species and their prey, and it is considered that there will still be opportunities for a range of bat species to continue to utilise the site for foraging and commuting in the proposed development.

S.8. A sensitive lighting strategy would ensure that dark corridors for movements of bats and other nocturnal animals are provided along site boundaries, and that lighting is directed away from ecologically sensitive areas throughout the site, such as retained trees with potential to support roosting bats, new bat boxes and suitable bat foraging habitats. The lighting strategy could be fully detailed within a LEMP.

S.9. By adhering to the strategies described in this report, the proposed development would not be considered to have adverse impacts on local bat populations, and would be in accordance with legislation and relevant planning policy.

Section 1: Introduction and Context

Introduction and Purpose

1.1. This report has been prepared by Tyler Grange Group Ltd on behalf of Richborough Estates Ltd. It is an addendum report to, and should be read in conjunction with, the previously submitted EcIA (TG Ref: **16602_R04a_EcIA_EJ_180724**) – hereafter referred to as 'the EcIA'.

1.2. This report sets out the findings of further ecological surveys relating to bats, undertaken at a parcel of land situated to the east of Brascote Lane and south of Arnold's Crescent, Newbold Verdon (OS Grid Reference SK 44864 03304), hereinafter referred to as the 'site'.

1.3. The planning application boundary extends in total to 13.77ha hectares (hereinafter referred to as the "Combined Site"), which comprises the following:

- 6.91 hectares of land to the east of Brascote Lane and south of the Thurlaston Brook, which benefits from an extant planning permission under reference 22/00277/OUT, for the purpose only of providing access/egress to the public highway known as Brascote Lane (Phase 1), and;
- 6.86 hectares of land to the south of Arnold's Crescent and north of the Thurlaston Brook, for up to 135 dwellings with associated landscaping, open space, drainage infrastructure and associated works (all matters reserved except access from Brascote Lane Phase 2).

1.4. On the basis that Phase 1 has the benefit of planning permission, this addendum is to accompany the outline planning application for Phase 2, (hereinafter referred to as the "Site"). Proposals for the site are illustrated in **Appendix 1**.

1.5. The 'extended' Phase I survey undertaken as part of the EcIA identified the site as having potential to support foraging and commuting bats, and as such further bat activity surveys were recommended.

1.6. This report:

- Uses background data (as included in the EcIA) and field surveys to establish the assemblage of bat species and the levels of foraging and commuting activity associated with the site;
- Assesses the potential impacts to roosting, foraging and commuting bats, associated with the development; and
- Describes the mitigation and enhancement proposals, together with planning controls to ensure their delivery, to ensure conformity with policy and legislation listed in **Appendix 2**.

Quality Control

1.7. All ecologists at Tyler Grange Group Limited are members of the Chartered Institute of Ecology and Environmental Management (CIEEM) or are working towards membership, and act under the direction of members and abide by the Institute's Code of Professional Conduct[1].

[1] CIEEM (2022) Code of Professional Conduct, CIEEM, Winchester

Section 2: Survey Methodology and Results

Bat Activity Surveys

2.1. As per the EcIA, the boundary hedgerows and treelines, scattered mature trees, woodland and the offsite brook habitat provide potential for foraging and commuting bats, and provide connectivity between the site and the wider landscape.

2.2. The development has been designed to retain and protect features of greatest ecological importance where possible, namely the woodland and mature trees, hedgerows and treelines, and the adjacent Thurlaston Brook. However, areas of grassland and cropland will be lost to facilitate the proposed development, as well as a discrete areas of hedgerow and treeline, and watercourse, that will be removed and culverted, respectively (refer to previously submitted Biodiversity Net Gain (BNG) report for units lost and gained Ref: **16602_R07_Biodiversity Net Gain Report_220724.pdf**). In addition it is anticipated that there will be an increase in lighting and noise disturbance during the operational phase of the development.

2.3. Therefore, night-time bat walkover surveys and static activity surveys were undertaken on the site. Given the low impact of the proposed development to the features of importance to commuting and foraging bats, it was determined that a seasonal survey effort was appropriate.

Methods

Night-time Bat Walkover Surveys

2.4. Seasonal night-time bat walkover surveys were undertaken between May and September 2024. Three surveys were undertaken, with one in spring, one in summer, and one in autumn. Full survey dates and metadata is provided in **Appendix 3**. Surveyors used a combination of visual observation and echolocation detection techniques to identify any bat activity on the site. The surveys started at sunset, and ended approximately two hours after sunset, in accordance with BCT guidelines[2] at the time of the surveys.

2.5. The start of each survey focused on a potential flightline i.e. woodland edge, treeline and stream habitat where bat activity was observed for 30 minutes stationary. The predetermined transect route was then followed by a pair of surveyors, which included multiple loops of the site covering all potential features of interest including boundary hedgerows, woodland edge, treelines and scattered mature trees. The route of the transect surveys is shown on **Plan 16602/P15** appended to this report.

2.6. Elekon Batlogger M2s and Echometer Touch Pro 2 detectors were used during the dusk activity surveys.

[2] Collins, J. (ed.) (2023) Bat Surveys for Professional Ecologists: Good Practice Guidelines, 4th Edition. The Bat Conservation Trust, London.

Static Activity Surveys

2.7. To supplement the walked activity surveys, data was obtained from the deployment of automated bat detectors, which were placed in four locations in areas of suitable habitat on site during three separate deployments between May and September, covering the spring, summer, and autumn seasons. The number of automated detectors deployed on site was taken from survey guidelines in relation to the quality of habitat on site for bats. The static detectors were set to begin recording 30 minutes before sunset and ceased 30 minutes after sunrise for a minimum period of five consecutive nights per deployment. The dates of the automated surveys are provided in **Appendix 3**.

2.8. The data from the detectors was subsequently analysed by appropriately experienced ecologists using BatExplorer analysis software, and was subject to a standardised Quality Assurance procedure.

Results

Walked Transect Surveys

2.9. Bat activity during the walked transect surveys was generally low per survey visit, with the majority of activity being limited to low numbers of common pipistrelle *Pipistrellus pipistrellus* (maximum of 35 passes) and noctule bat *Nyctalus Noctula* (maximum of 20 passes) along with occasional passes of soprano pipistrelle *Pipistrellus pygmaeus* (maximum of 4 passes), myotis species *Myotis sp.* (single pass per survey) and brown long-eared *Plecotus auratus* (only recorded on the spring visit with four passes) bat recorded throughout the boundary features and near to the scattered mature trees on the site, and noctules commuting high overhead. No other bat species were recorded during the transect surveys.

2.10. Activity levels appeared to be generally consistent across all boundary features, with individual bats observed foraging along different stretches of boundary vegetation across the three transects. A very limited number of foraging passes were recorded over the grassland and arable habitat.

Static Activity Surveys

2.11. Levels of bat activity recorded during the static detector deployments are set out in **Appendix 3**.

2.12. In summary, five species or species groups were recorded during the static surveys:

- Brown long-eared *Plecotus auritus*;
- Common pipistrelle;
- Noctule *Nyctalus noctula*;
- Soprano pipistrelle; and
- Unidentified Myotis species *Myotis* sp.

2.13. The majority of passes were by pipistrelle species, with much lower number of passes by other species, the average number of bats along each boundary, over the three survey visits can be seen in Table A3.15, with a more detailed count provided in tables A3.3 – A3.14. The habitats along the northern and southern boundaries (treelines, hedgerows, other neutral grassland and watercourse), had the highest total bat counts over the three survey visits.

2.14. The data recorded by the static detectors correlates with the observations made during the transect surveys, suggesting that the site is mostly utilised by pipistrelle species, with noctule and low numbers of myotis and brown long-eared bats also present.

Survey Limitations

2.15. Bat surveys are subject to numerous variables. The echolocation calls of species such as brown long-eared bats are of a low amplitude and may not always be picked up on bat detectors. Survey results represent a sample of bat activity during the surveys.

2.16. Bat activity calls cannot always be identified down to species level, either due to distant calls partially recorded, or the similarity between some species of bats. Where this occurs, it is recorded as 'unidentified bat species' or will show which species of bat it is likely to be (e.g. *Myotis sp.*).

Evaluation

2.17. The activity survey results indicate that bat activity across the site is generally quite low, with small numbers of bats utilising commuting and foraging opportunities along boundary hedgerows, woodland edges, treelines and the scattered mature trees along the site's southern boundary.

2.18. The majority of bats utilising the site are relatively common species; common and soprano pipistrelle bats and noctule bats, which are known for more generalist behaviour and distribution, as well as a higher level of tolerance to light[3]. Brown long-eared bats are also considered to be common. Less common bats, including some myotis species were recorded on site, although in low numbers on the night-time bat walkover surveys and static deployments.

2.19. The population of common and soprano pipistrelle bats are considered to be increasing nationally, and the population trends for brown long-eared, noctule and myotis bat species are considered to be stable[4].

2.20. Owing to the fact that the species assemblage recorded on the site during the various bat surveys comprises low numbers of relatively common bat species, the assemblage of bats utilising the site is considered to be of **local ecological importance**.

[3] Jones & Walsh (2006). A Guide to British Bats. The Mammal Society, London

[4] https://www.bats.org.uk/our-work/national-bat-monitoring-programme/reports/nbmp-annual-report

Section 3: Ecological Impacts, Mitigation, and Enhancement

Proposed Development

3.1. A detailed planning application is being submitted to Hinckley and Bosworth Borough Council covering 6.86 hectares of land to the south of Arnold's Crescent and north of the Thurlaston Brook, for up to 135 dwellings with associated landscaping, open space, drainage infrastructure and associated works (all matters reserved except access from Brascote Lane Phase 2).

3.2. The mitigation hierarchy (as advocated by the CIEEM[5]) has been applied throughout the development design so as to avoid, minimise, mitigate, and as a last resort compensate for known or potential impacts. As such, the development has been designed to retain and where possible enhance ecologically important features, namely the boundary hedgerows and treelines, mature trees, woodland and offsite brook habitat.

3.3. The landscape strategy will provide new habitat creation along with BNG in hedgerow and watercourse units (Ref: **16602_R07_Biodiversity Net Gain Report_220724.pdf**), including tree and hedgerow planting, grassland managed for both amenity and biodiversity, attenuation features, scrub and shrub planting, along with the retention of mature trees, woodland and the majority of existing hedgerows and treelines.

3.4. Potential impacts to bats with respect to the development of the site are set out below, with reference to relevant legislation and planning policy where appropriate, which is summarised in **Appendix 2**. Potential impacts to protected sites, habitats, and other fauna species are provided in the previously submitted EcIA.

Foraging and Commuting Bats

3.5. The development will result in the loss of modified and other neutral grassland and cropland within the development area. To facilitate the access into the site from the southern boundary, two discrete areas of hedgerow and treeline will be removed, and the corresponding sections of the watercourse will be culverted.

3.6. The proposed scheme will include new soft landscaping within the residential streetscape and public open spaces, including the following key enhancements to wildlife:

- Retention of features of the greatest ecological importance, namely wet woodland and mature rural trees, and the boundary hedgerows on the northern and eastern boundary. The watercourse, treeline and hedgerow along the southern boundary will be retained within ecological buffer areas, with the exception of discrete new access areas;

[5] https://cieem.net/wp-content/uploads/2019/02/Combined-EcIA-guidelines-2018-compressed.pdf

- Well defined buffer areas to the retained wet woodland, mature trees, boundary hedgerows, tree line and watercourse (with the exception of discrete new access areas), with the surrounding habitat to be retained and where possible enhanced through the creation of areas of new areas of grassland, tree planting, and structural scrub/shrub planting;

- An enhanced buffer to the Thurlaston Brook through the retention of the wet woodland and large areas of the neutral grassland along the southern boundary, and the creation of an ecological buffer zone with a mosaic of new grassland creation, tree planting, and structural scrub/shrub planting;

- Sustainable drainage system (SuDS) basins, which should be constructed in accordance with the CIRIA guidelines for SuDS with regards to biodiversity. This would include a diverse range of native planting of known value to wildlife, particularly amphibians, reptiles, and invertebrates;

- Large areas of green public open space will be created, which will be managed for both amenity and biodiversity. The majority of the grassland habitats within the areas of open space will be retained from the existing habitats where possible, with newly created grassland areas to be sown with a species diverse general purpose meadow mixture. In the areas closest to the residential development and associated roadways and footpaths, this will be managed primarily for visual and amenity purposes. In the large area of green public open space to the east of the site, the grassland should be managed with a rotational mowing regime to allow for areas of longer sward and increased species diversity;

- Creation of areas of structural scrub, shrub, and tree planting, to be planted with a diverse mixture of native species, and managed to maximise biodiversity;

- Creation of new hedgerows, to be planted with a diverse mixture of native species, to be managed to maximise biodiversity. This will include areas of hedgerow to be planted on the embankments of the SuDS basins, in order to provide an embankment associated with the hedgerows; and tree planting of predominantly native species will be included throughout the areas of open green space and throughout the residential streetscape. It is assumed that the trees located within the residential streetscape will be more intensively managed for safety and aesthetic reasons. Trees located within the areas of green open space should be managed less intensively, allowing for trees to grow more naturally and reach close to expected size for mature examples of the species planted.

3.7. With the aforementioned proposals in mind it is considered that there will be an increase in optimal opportunities for a varied assemblage of bat species to continue to utilise the site for foraging and commuting.

Lighting Strategy

3.8. Artificial lighting is likely to be increased as a result of the development proposals, including new roads as well as lighting for individual residential properties. Therefore, in the absence of mitigation, increased lighting onsite and along boundary features has the potential to impact

individual bats by presenting a barrier to their flight paths and impacting on available foraging opportunities.

3.9. The majority of bats recorded onsite were species which are relatively tolerant of ambient lighting. Common and soprano pipistrelle, along with noctule bats, have been known to swarm around streetlights to feed on the insects attracted to light[6]. Therefore, these species are the most resilient to artificial lighting, and are likely to adapt to a new lighting scheme and may even exploit the opportunities they offer.

3.10. Although activity by brown long-eared and Myotis species, which are more sensitive to lighting, were recorded during the surveys, the level of activity for these less light tolerant species was low. Therefore, it is considered that any impacts would be unlikely to affect their conservation status locally or interrupt important flight lines.

3.11. To minimise impacts to local bat populations further, an appropriate lighting strategy will be designed to ensure that any required lighting is directed away from sensitive areas such as trees with potential to support roosting bats (locations detailed within the previously submitted EcIA), boundary hedgerows, treelines, woodland, mature trees, and newly created suitable bat foraging habitats such as the proposed grasslands, tree planting, and SuDS areas, in order to reduce potential impacts to bats and other nocturnal wildlife on site.

3.12. The designs for the site will ensure that dark unlit corridors for bat movement are retained along the southern, eastern and western boundaries of the development parcel to allow bats to continue to move through the site, thus impacts are unlikely to be significant.

3.13. Full specifics of the sensitive lighting strategy could be detailed within a LEMP, controlled via a carefully worded condition of planning.

3.14. Guidance should be taken from: *Guidance Note 08/23 Bats and Artificial Lighting in the UK* published jointly by the Bat Conservation Trust (BCT) and the Institute of Lighting Professionals (ILP), which may include:

- Avoiding the lighting of confirmed roosts, retained trees, hedgerows and newly created habitats through sensitive placement of lighting, choice of luminaire, and limiting lighting to the minimum required for safety;
- Where lighting is required, warm-white LED luminaires should be utilised, with a spectrum ideally 2700 Kelvin or lower, and a peak wavelength of no more than 550nm;
- Waymarking inground markers (low output with cowls or similar to minimise upward light spill) should be used where required to delineate footpath edges (low level bollard lighting should not be used);
- Use motion sensors on external lights, with short timers, to reduce light spill; and
- Create 'buffer zones' of varying light levels between the residential development areas and the boundary features through strategic placement of tree and shrub planting.

[6] https://cdn.bats.org.uk/pdf/Resources/ilp-guidance-note-8-bats-and-artificial-lightingcompressed.pdf?mtime=20181113114229

Section 4: Conclusions

4.1. The 'extended' Phase I survey undertaken as part of the EcIA identified the site as having potential to support foraging and commuting bats, and as such nighttime bat walkover surveys and the deployment of static bat detectors were completed.

4.2. Bat activity during the 2024 activity surveys was generally low, with the majority of activity being pipistrelle species recorded throughout the site, along boundary vegetation features, including woodland edge, treelines and hedgerows. The assemblage of bats utilising the site are considered to be of no more than local ecological importance.

4.3. The new habitat creation proposed onsite will more than compensate for the loss of any foraging and commuting opportunities currently onsite, and a sensitively designed lighting strategy would reduce the impacts of increased ambient lighting onsite, and ensure that bats can continue to roost, forage and commute on the site following the completion of the development.

4.4. By adhering to the avoidance, mitigation and compensation strategies described in this report, the proposed development on the site would not be considered to have adverse impacts on local bat populations and would be in accordance with legislation and relevant planning policy.

Appendix 1: Site Layout

Site Boundary

Existing Vegetation

Proposed Open Space Tree Planting

Proposed Street Tree Planting

Proposed Native Hedgerow Planting

Proposed Native Shrub Planting

Proposed Shrub Understorey

Proposed Bio Swales / Rain Gardens

Proposed Wet Tolerant Grass Attenuation Basin

Proposed Grassland Attenuation Basin

Proposed Reeds

Proposed LEAP

Proposed LAP

Proposed Mown Grass Area

Existing Easement

Existing Watercourse

1. Proposed development to be 2 storeys in height, in keeping with existing adjacent residencies of Arnold's Crescent, and outward facing to provide natural surveillance over adjacent POS and a softer settlement edge than currently present.
2. Eastern POS to comprise modified grassland allowed to grow to form a meadow with rationally mown areas for informal recreation. Scattered native trees across the open POS give a parkland character.
3. Hedgerow alongside S26 to be retained and enhanced through gapping up where required.
4. New footpath connections between proposals and PRoW S26 also provide pedestrian links to Alan's Way playing fields.
5. Native tree planting with under-storey shrub running along the eastern edge of proposed development to soften views of new settlement edge from PRoW S26 and provide a new green corridor between vegetation of 'The Pastures' and boundary hedgerow.
6. Flood attenuation basin to be seeded with wet tolerant grassland.
7. New native hedgerow upon embankments on southern edge of attentuation basins replace habit loss incurred through access.
8. Mosaic of grassland and reed planting within attenuation basins provides mixed habitat within features.
9. Native low scrub/shrub planting to re-inforce street and tree belt edge.
10. Tree planting to be incorporated into street-scenes where space allows to provide tree-lined streets required by NPPF.
11. Bio swales/rain gardens to be included alongside road routes to provide drainage, habitat and aesthetic value.
12. Wet woodland to be retained and enhanced through management.
13. Retained oaks form mature main landscape features within pocket POS alongside the western site access.

N

Project	Land East of Brascote Lane & South of Arnold's Crescent, Newbold Verdon
Drawing Title	Plan 8: Landscape Masterplan
Scale	A3: 1:1500
Drawing No	16602/P12a
Date	JUNE 2024
Checked	EL/EB

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Appendix 2: Legislation and Planning Policy

Legislation

A2.1. Specific habitats and species receive legal protection in the UK under various pieces of legislation, including:

- The Environment Act 2021;
- The Wildlife and Countryside Act (WCA) 1981 (as amended);
- The Conservation of Habitats and Species Regulations 2017 (as amended);
- The Countryside and Rights of Way (CRoW) Act 2000;
- The Natural Environment and Rural Communities Act (NERC) 2006;
- The Hedgerows Regulations 1997; and
- The Protection of Badgers Act 1992.

A2.2. The European Council Directive on the Conservation of Natural Habitats and of Wild Flora and Fauna, 1992, often referred to as the 'Habitats Directive', provides for the protection of key habitats and species considered of European importance. Annexes II and IV of the Directive list all species considered of community interest. The legal framework to protect the species covered by the Habitats Directive has been enacted under UK law through The Conservation of Habitats and Species Regulations 2017 (as amended).

A2.3. In Britain, the WCA 1981 (as amended) is the primary legislation protecting habitats and species. SSSIs, representing the best examples of our natural heritage, are notified under the WCA 1981 (as amended) by reason of their flora, fauna, geology or other features. All breeding birds, their nests, eggs and young are protected under the Act, which makes it illegal to knowingly destroy or disturb the nest site during nesting season. Schedules 1, 5 and 8 afford protection to individual birds, other animals and plants.

A2.4. The CRoW Act 2000 strengthens the species enforcement provisions of the WCA 1981 (as amended) and makes it an offence to 'recklessly' disturb a protected animal whilst it is using a place of rest or shelter or breeding/nest site.

Environment Act 2021: Upcoming Town and Country Planning Act

A2.5. The Environment Act gained Royal Assent in November 2022. Whilst the premise of Biodiversity Net Gain (BNG) has been around prior to this, the Assent of the Act sets the Framework for future legislation to be changed. This will be in the form of the Town and Country Planning Act (TaCPA), specifically Schedule 14 of the TaCPA, which will make Biodiversity Net Gain a condition of planning (not a planning condition). The target 'gain' is currently set at 10% but the Secretary of State has the ability to change this.

A2.6. The timescales for changes to the wording of the TaCPA are that it will be legally mandated and enforceable from January 2024.

National Planning Policy

National Planning Policy Framework (NPPF), 2023

A2.7. The National Planning Policy Framework (NPPF) was updated in December 2023 and sets out the Government's planning policies for England and how these should be applied. It replaces the first National Planning Policy Framework published in March 2012.

A2.8. Paragraph 11 states that:

> *"Plans and decisions should apply a presumption in favour of sustainable development."*

A2.9. Section 11 of the NPPF, paragraph 124, sub-section b states that planning policies and decisions should:

> *b) "recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production"*

A2.10. Section 15 of the NPPF (paragraphs 174 to 188) considers the conservation and enhancement of the natural environment.

A2.11. Paragraph 174 states that planning and decisions should contribute to and enhance the natural and local environment by:

> *a) "protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
> *b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
> *c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate; and*
> *d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures"*

A2.12. Paragraph 181 states that plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.

A2.13. Paragraph 185 states that in order to protect and enhance biodiversity and geodiversity, plans should:

> *a) "Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated*

sites of importance for biodiversity[7]; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation[8]; and

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

A2.14. When determining planning applications, Paragraph 186 states that local planning authorities should apply the following principles:

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

b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons[9] and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate."

A2.15. As stated in paragraph 187 the following should be given the same protection as habitats sites[10]:

a) "potential Special Protection Areas and possible Special Areas of Conservation;

b) listed or proposed Ramsar sites[11]; and

c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites."

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[7] Circular 06/2005 provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system.

[8] Where areas that are part of the Nature Recovery Network are identified in plans, it may be appropriate to specify the types of development that may be suitable within them.

[9] For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.

[10] The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 181) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change.

[11] Potential Special Protection Areas, possible Special Areas of Conservation and proposed Ramsar sites are sites on which Government has initiated public consultation on the scientific case for designation as a Special Protection Area, candidate Special Area of Conservation or Ramsar site.

A2.16. Paragraph 182 states that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

Local Planning Policy

A. The Leicestershire and Rutland Local Biodiversity Action Plan has 19 action plans for habitats and 16 for species. The specific habitats and species targets are:

- **Habitats**: Broad-leaved woodland, wet woodland, lowland wood-pasture and parkland, hedgerows, mature trees, eutrophic standing water: field ponds, lakes, canals and reservoirs, mesotrophic lakes, floodplain wetland, reedbeds, fast-flowing streams, *sphagnum* ponds, springs and flushes, neutral grassland, heath grassland, calcarious grassland, roadside verges, field margins, rocks and built structures and urban habitats. **Species**: barn owl, bats, black hairstreak butterfly, black poplar, dingy and grizzled skipper butterflies, dormouse, nightingale, otter, purple small-reed, redstart, sand martin, violet helleborine, water vole, white-clawed crayfish, wood vetch, swifts, swallows and house martins.

Hinckley and Bosworth Borough Council, Site Allocations and Development Management Policies DPD (Local plan 2006 – 2026, adopted 2016)

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

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
F. It has been adequately demonstrated that the irreplaceable habitat
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
I. Secondly, and if the first is not possible, demonstrate mitigation
J. Thirdly, and as a last resort, seek appropriate compensation measures, on site wherever possible and off site where this is not feasible.

Appendix 3: Bat Survey Metadata and Results

Detailed Bat Roost Survey Metadata

Nighttime Bat Walkover Survey Metadata

A3.1. Metadata for the detailed bat roost surveys are provided in **Table A3.1** below.

Table A3.1: Walked Metadata

Visit	Date	Sunset Time	Weather Conditions	Start/End Temp	Start/End Time
V1	29th May 2024	21:16	Dry, light breeze with some cloud	13/12	21:16/23:16
V2	1st July 2024	21:32	Still and cloudy, dry but rain earlier in the day.	15/13.5	21:32/23:32
V3	17th September 2024	19:14	Dry, low breeze, with clear skies.	19/12.5	19:14/21:14

Static Detector Deployments

A3.2. The dates of the automated static detector surveys are provided in **Table A3.2** below.

Table A3.2: Static bat detector deployment dates

Visit	Date
V1	15/05/2024 – 20/05/2024 20/05/2024 – 25/05/2024
V2	03/07/2024 – 08/07/2024 09/07/2024 – 14/07/2024
V3	11/09/2024 – 16/09/2024

A3.3. Levels of bat activity recorded during the static detector deployments are set out in **Tables A3.3-A3.9** below.

Table A3.3 – Deployment V1 (Western Boundary) Results. *Ppi* = common pipistrelle, *Ppy* = soprano pipistrelle, *PipSp* = Pipistrelle species, *Nn* = Noctule, Eptesicus species *My* = myotis species, *Pa* = brown long-eared.

Date	*My.*	*Nn sp.*	*Ppi*	*Ppy*	Grand Total
15/05/2024	18	1	17	3	39
16/05/2024	18	4	60	2	84
17/05/2024	17	4	57	3	81
18/05/2024	9	7	37	7	60
19/05/2024	2	7	25	8	42
20/05/2024	15	0	7	3	25
Grand Total	79	23	203	26	331

Table A3.4 – Deployment V1 (Southern Boundary) Results. *Ppi* = common pipistrelle, *Ppy* = soprano pipistrelle, *PipSp* = Pipistrelle species, *Nn* = Noctule, Eptesicus species *My* = myotis species, *Pa* = brown long-eared

Date	*My*	*Nn*	*Ppi*	*Ppy*	Grand Total
15/05/2024	1	3	11	1	16
16/05/2024	2	0	50	1	53
17/05/2024	2	8	31	4	45
18/05/2024	4	4	10	6	24
19/05/2024	4	0	25	1	30
20/05/2024	0	1	6	0	7
Grand Total	13	16	133	13	175

Table A3.5 – Deployment V1 (Northern Boundary) Results. *Ppi* = common pipistrelle, *Ppy* = soprano pipistrelle, *PipSp* = Pipistrelle species, *Nn* = Noctule, Eptesicus species *My* = myotis species, *Pa* = brown long-eared

Date	*My*	*Nn*	*Ppi*	*Ppy*	Grand Total
21/05/2024	2	3	4	2	11
22/05/2024	0	1	6	1	8
23/05/2024	0	1	6	1	8
24/05/2024	4	1	10	0	15
25/05/2024	1	1	5	1	8
26/05/2024	1	3	1	0	5
Grand Total	8	10	32	5	55

Table A3.6 – Deployment V1 (Eastern Boundary) Results. *Ppi* = common pipistrelle, *Ppy* = soprano pipistrelle, *PipSp* = Pipistrelle species, *Nn* = Noctule, Eptesicus species *My* = myotis species, *Pa* = brown long-eared

Date	*My*	*Nn*	*Ppi*	*Ppy*	Grand Total
21/05/2024	5	2	122	39	168
22/05/2024	0	0	17	0	17
23/05/2024	2	6	69	3	80
24/05/2024	5	0	61	15	81
25/05/2024	17	0	162	51	230
26/05/2024	8	3	43	30	84
Grand Total	37	11	474	138	660

Table A3.7 – Deployment V2 (Western Boundary) Results. *Ppi* = common pipistrelle, *Ppy* = soprano pipistrelle, *PipSp* = Pipistrelle species, *Nn* = Noctule, Eptesicus species *My* = myotis species, *Pa* = brown long-eared

Date	*My*	*Nn*	*Ppi*	*Ppy*	Grand Total
09/07/2024	0	5	30	1	36
10/07/2024	5	14	55	10	84
11/07/2024	3	5	29	6	43
12/07/2024	0	4	4	1	9
13/07/2024	3	1	30	6	40
14/07/2024	1	3	34	1	39
Grand Total	12	32	182	25	251

Table A3.8 – Deployment V2 (Northern Boundary) Results. *Ppi* = common pipistrelle, *Ppy* = soprano pipistrelle, *PipSp* = Pipistrelle species, *Nn* = Noctule, Eptesicus species *My* = myotis species, *Pa* = brown long-eared

Date	*My*	*Nn*	*Ppi*	*Ppy*	*Pa*	Grand Total
03/07/2024	3	2	9	0	0	14
04/07/2024	1	5	10	0	0	16
05/07/2024	0	3	14	0	4	21
06/07/2024	0	0	4	1	0	5
07/07/2024	0	0	0	0	0	0
08/07/2024	0	1	4	0	2	7
Grand Total	4	11	41	1	6	63

Table A3.9 – Deployment V2 (Southern Boundary) Results. *Ppi* = common pipistrelle, *Ppy* = soprano pipistrelle, *PipSp* = Pipistrelle species, *Nn* = Noctule, Eptesicus species *My* = myotis species, *Pa* = brown long-eared

Date	*My*	*Nn*	*Ppi*	*Ppy*	Grand Total
09/07/2024	19	41	168	28	256
10/07/2024	17	4	98	60	179
11/07/2024	62	1	730	17	166
12/07/2024	7	3	23	5	38
13/07/2024	68	14	88	25	195
14/07/2024	57	7	128	32	224
Grand Total	206	63	1212	162	1058

Table A3.10 – Deployment V2 (Eastern Boundary) Results. *Ppi* = common pipistrelle, *Ppy* = soprano pipistrelle, *PipSp* = Pipistrelle species, *Nn* = Noctule, Eptesicus species *My* = myotis species, *Pa* = brown long-eared

Date	*My*	*Nn*	*Ppi*	*Ppy*	Grand Total
03/07/2024	0	3	165	3	171
04/07/2024	1	0	209	2	212
05/07/2024	0	0	54	9	63
06/07/2024	0	0	21	0	21
07/07/2024	0	2	158	10	170
08/07/2024	0	0	73	10	83
Grand Total	1	5	680	34	720

Table A3.11 – Deployment V3 (Northern Boundary) Results. *Ppi* = common pipistrelle, *Ppy* = soprano pipistrelle, *PipSp* = Pipistrelle species, *Nn* = Noctule, Eptesicus species *My* = myotis species, *Pa* = brown long-eared

Row Labels	*My*	*Nn*	*Ppi*	*Ppy*	Grand Total
11/09/2024	1	1	60	1	63
12/09/2024	17	0	56	5	78
13/09/2024	122	0	186	66	374
14/09/2024	253	2	701	33	989
15/09/2024	130	4	1248	16	1398
16/09/2024	249	0	205	27	481
Grand Total	772	7	2456	148	3383

Table A3.12 – Deployment V3 (Eastern Boundary) Results. *Ppi* = common pipistrelle, *Ppy* = soprano pipistrelle, *PipSp* = Pipistrelle species, *Nn* = Noctule, Eptesicus species *My* = myotis species, *Pa* = brown long-eared

Date	*My*	*Nn*	*Ppi*	*Ppy*	Grand Total
11/09/2024	3	6	2	2	13
12/09/2024	4	1	3	1	9
13/09/2024	2	2	15	3	22
14/09/2024	10	12	26	15	63
15/09/2024	0	13	41	9	63
16/09/2024	0	0	6	0	6
Grand Total	19	34	93	30	176

Table A3.13 – Deployment V3 (Southern Boundary) Results. *Ppi* = common pipistrelle, *Ppy* = soprano pipistrelle, *PipSp* = Pipistrelle species, *Nn* = Noctule, Eptesicus species *My* = myotis species, *Pa* = brown long-eared

Date	*My*	*Nn*	*Ppi*	*Ppy*	Grand Total
11/09/2024	1	3	2	0	6
12/09/2024	7	3	7	0	17
13/09/2024	6	1	14	0	21
14/09/2024	19	15	525	35	594
15/09/2024	23	13	512	10	558
16/09/2024	2	3	10	1	16
Grand Total	58	38	1070	46	1212

Table A3.14 – Deployment V3 (Western Boundary) Results. *Ppi* = common pipistrelle, *Ppy* = soprano pipistrelle, *PipSp* = Pipistrelle species, *Nn* = Noctule, Eptesicus species *My* = myotis species, *Pa* = brown long-eared

Date	*My*	*Nn*	*Ppi*	*Ppy*	Grand Total
11/09/2024	0	1	2	2	5
12/09/2024	8	2	7	0	17
13/09/2024	2	9	53	7	71
14/09/2024	4	24	992	110	1130
15/09/2024	113	32	305	92	542
16/09/2024	0	12	6	2	20
Grand Total	127	80	1365	213	1785

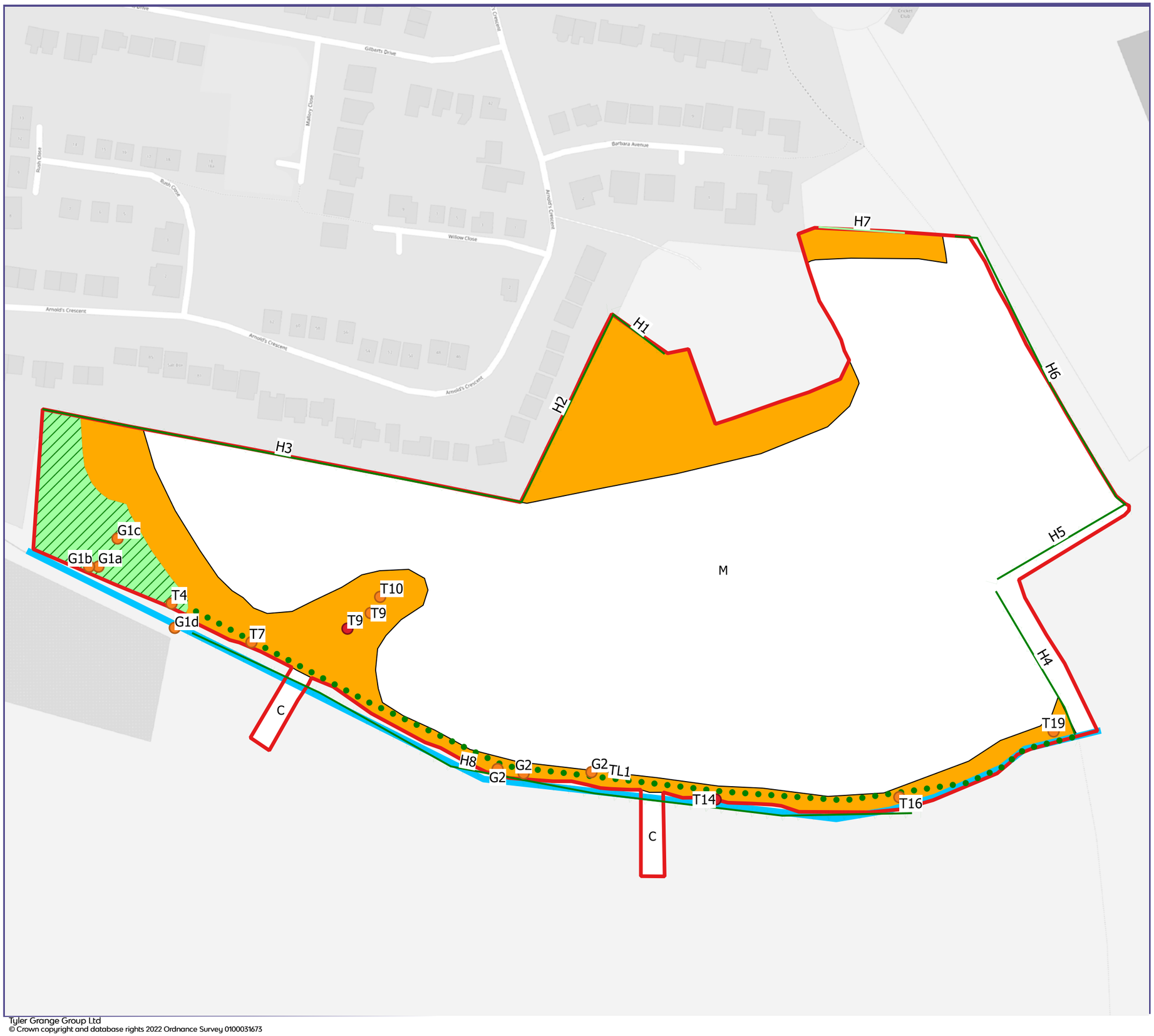
Table A3.15 – Average number of species per boundary, over three survey visits. *Ppi* = common pipistrelle, *Ppy* = soprano pipistrelle, *PipSp* = Pipistrelle species, *Nn* = Noctule, Eptesicus species *My* = myotis species, *Pa* = brown long-eared

Boundary	*My.*	*Nn sp.*	*Ppi*	*Ppy*	*Pa*	Grand Total
West	73	45	583	88	0	789
East	19	17	415	67	0	518
North	261	9	843	51	2	1165
South	92	39	805	74	0	1010

Plans:

Plan 1: Habitat Features and Preliminary Bat Roost Assessment Plan **16602/P13a**

Plan 2: Bat Survey Plan **16602/P15**



- 16602 Site Boundary
- C — Cropland
- M — Modified Grassland (g4)
- Other Neutral Grassland (g3c)
- Wet Woodland
- Species-rich Native Hedge Associated with Bank or Ditch
- Native Hedgerow
- Ornamental Hedgerow
- Ecologically Valuable Line of Trees Associated with Bank or Ditch
- Watercourse
- Tree with Bat Potential: PRF-I
- Tree with Bat Potential: PRF-M

0 — 100 m

Project	Land situated to the east of Brascote Lane and south of Arnold's Crescent, Newbold Verdon
Drawing Title	Habitat Features and PBRA Plan
Scale	As Shown (Approximate)
Drawing No.	16602/P13
Date	June 2024
Checked	CA

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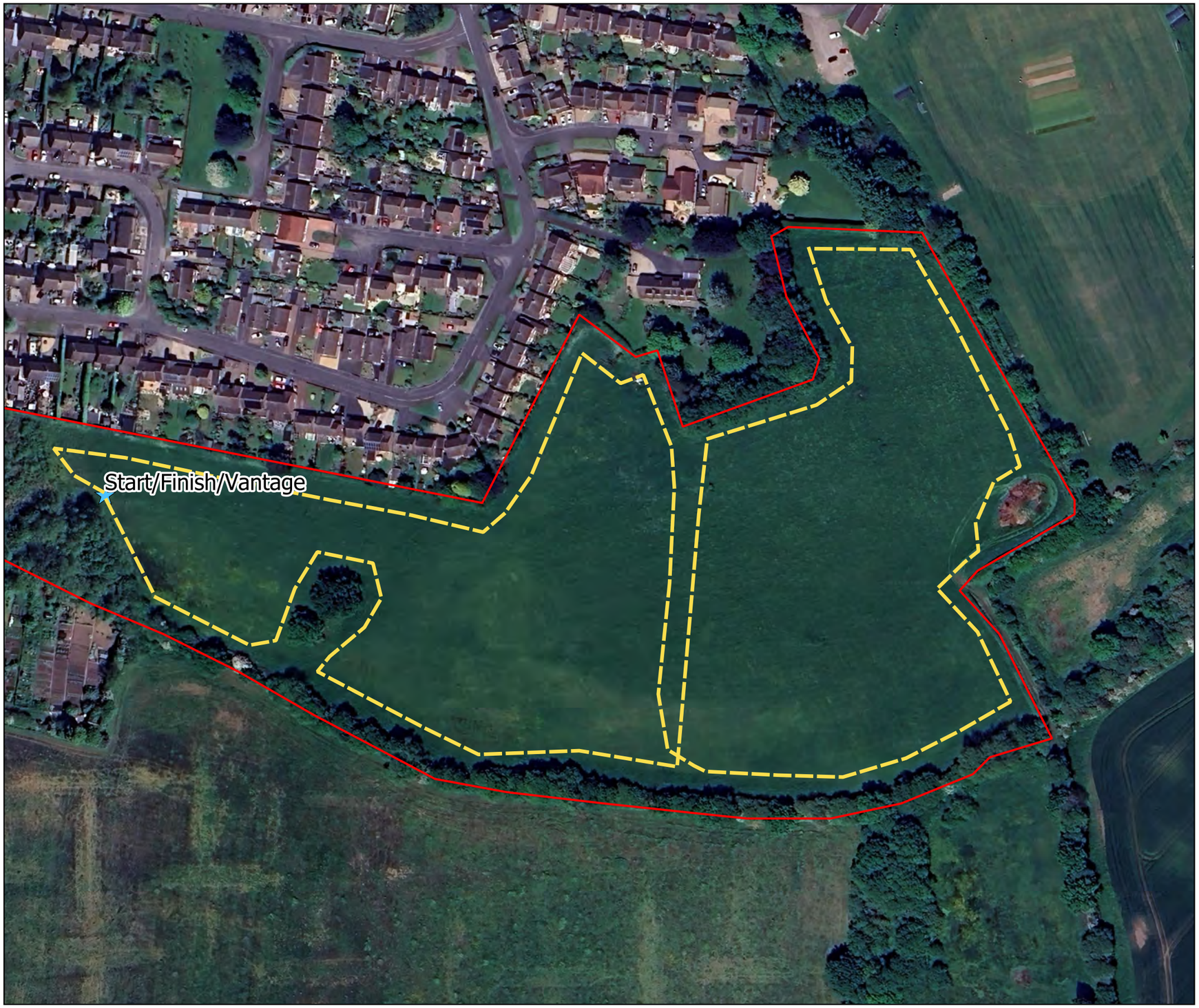

Legend

- Site Boundary
- Start/Finish/Vantage Point
- Night-time Bat Walkover route

N

0 — 50 m

Project	
Drawing Title	Bat Survey Plan
Scale	As Shown (Approximate)
Drawing No.	16602/P15
Date	10th October 2024
Checked	EJ

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