

REVISED EXTENDED PHASE 1 HABITAT SURVEY
REPORT OF THE DEPUTY CHIEF EXECUTIVE
(COMMUNITY DIRECTION)



WARDS AFFECTED: ALL WARDS

1. PURPOSE OF REPORT

- 1.1 To seek approval of the Revised Extended Phase 1 Habitat Survey as an evidence base to inform plan making. A copy of the full Revised Extended Phase 1 Habitat Survey is available to view by contacting the Planning Policy Team.

2. RECOMMENDATION

- 2.1 To request that the Executive;
- approve the Revised Extended Phase 1 Habitat Survey as a Local Plan evidence base.

3. BACKGROUND TO THE REPORT

- 3.1 An Extended Phase 1 Habitat Survey was originally prepared in 2011 / 2012 to inform Local Plan (2006 – 2026) preparation. Since this document was finalised the Council have consulted on their Site Allocations and Development Management Policies DPD Pre-Submission Version (February 2014). As a result of this consultation exercise a number of additional sites were identified as requiring an extended phase 1 habitat survey. These sites were assessed using the same methodology as the original report and have been integrated into the February 2012 report which has been updated in light of changes to national policy.
- 3.2 The *National Planning Policy Framework (NPPF)*, replaces the *Planning Policy Statement 9 (PPS9) Biodiversity and Geological Conservation*, however the accompanying Government circulars (ODPM Circular 06/2005, DEFRA Circular 01/2005) and Good Practice Guide documents have not been withdrawn and form the main driver for local planning authorities to consider biological and geological diversity.
- 3.3 To ensure compliance with the requirements of the NPPF, and to ensure the Site Allocations and Development Management Policies Development Plan Document (DPD) is found sound upon examination, consultants WYG were commissioned to undertake an Extended Phase 1 Habitat Survey.
- 3.4 The key objectives of the study as a whole were to:
- To provide sufficient information to enable consistent and sustainable decisions to be made with respect to protecting biodiversity and geological conservation and to ensure that the Council have the necessary information on habitats to meet their obligations under NPPF.
 - To provide the Council with a clear and robust evidence document to inform decision making on the allocation of land for development and the associated Sustainability Appraisal in addition to feeding into the SHLAA.
 - To provide an up to date source of biodiversity information to assist in the determination of planning applications.

- To identify potential mitigation measures required as part of new development to ensure habitats and biodiversity are maintained or enhanced.
 - To set a baseline and monitoring framework for further surveying and/or monitoring of species and habitats to establish whether the policies of the Local Plan successfully contribute to improvements in the quality and quantity of habitats.
- 3.5 The findings of the surveys are primarily presented on a series of three map types;
- Data Search Maps highlighting existing information regarding protected species and designated sites- Appendix A_Xa
 - Phase 1 Maps highlighting the results of the extended Phase 1 Habitat Survey, including target notes where required- Appendix A_Xb
 - Wildlife Corridors highlighting areas that may have potential to qualify as Local Wildlife Sites, and key wildlife corridors across the landscape- Appendix A_Xc
- 3.6 The main report (Chapter 7 supported by appendix C), provides the results of the individual assessment sites. The schedule in appendix C classifies each assessment site as either; green, amber or red to indicate its ecological potential.
- Green sites are of relatively low ecological value. Further surveys may still be required to inform mitigation, e.g. for great crested newts, bats or badgers, but there are not considered to be any significant ecological constraints to development of the site.
 - Amber sites may have ecological constraints such as an adjacent river corridor, or area of woodland that should be retained within the final development. However, it is likely that further surveys and ecological input to the detailed site proposals could potentially allow development over at least some of the site.
 - Red sites have significant ecological constraints present within or adjacent to the site. Detailed mitigation and compensation / enhancement measures likely to be required to allow development on these sites.
- 3.7 The original survey identified a total of three assessment sites as falling within the red classification of significant ecological potential. These sites are detailed below and an outline of their status within the Site Allocations and Development Management Policies DPD is summarised;
- As924- Land south west of Market Bosworth (Sedgemere) is identified as MKBOS04PP within the Pre-Submission version of the Site Allocations DPD this site has been granted planning permission and is shown as a commitment within the plan.
 - As415 – Land off Hill Lane, Markfield has been omitted from the Pre-Submission version of the Site Allocations DPD for any form of development and the site is outside the settlement boundary of Markfield.
 - AS499- Land south of Sacheveral Way, Groby this site was an alternative option within the Preferred option version of the Site Allocations DPD, this site has been discounted for development on the ground of its potential ecological value but also the site does not abut the settlement boundary so would be sequentially less preferential.
- 3.8 From the additional sites assessed a further three sites were identified as having significant ecological potential. These sites are detailed below and an outline of their status within the Site Allocations and Development Management Policies DPD is summarised;
- As971 – Land off Workhouse Lane, Burbage has not been allocated within any version of the Site Allocations DPD.
 - As705 – Land at Laurel Farm, Groby has been allocated for 45 dwellings within the Pre-Submission version of the Site Allocations DPD to meet the

Core Strategy residual housing requirement. A number of planning factors must be weighed up when selecting allocations and ecology and biodiversity is one element of the assessment. This assessment of reasonable alternatives is the role and purpose of the Sustainability Appraisal which accompanies the DPD. The development of this site would be required to conform with policy DM6: 'Enhancement of Biodiversity and Geological Interest' to ensure that features of nature conservation and geological value are conserved and enhanced.

- As888 – Land to the rear of The Oddfellows Arms Public House, Higham on the Hill was allocated for 13 dwellings (HIG02) within the Pre-Submission Version of the Site Allocations DPD. As this site has been identified as having significant ecological potential within the evidence available, and Higham on the Hill has met the residual housing requirement set out within the Core Strategy it is proposed that this allocation is deleted.

3.9 Chapter 8 of the report identifies features potentially qualifying as Local Wildlife Sites within the assessment sites. In addition it examines wildlife corridors and provides recommendations for further survey work. These identified features are illustrated on the Wildlife Corridor maps- appendix A_Xc.

3.10 Chapter 9 provides mitigation and enhancement recommendations. This chapter makes the following recommendations;

- Any proposed development in the wider area of Burbage and Hinckley should be assessed to determine any impacts it could have on Burbage Wood and Aston Firs SSSI. The main impact is likely to be an increase in visitor pressure, or changes to air quality through local increases in population. Multifunctional green spaces could be incorporated within proposed development to manage visitor pressure by encouraging them to utilise spaces other than the SSSI. In addition the Community Infrastructure Levy could be utilised to allow developer contributions to be directed to the ongoing maintenance of the SSSI.
- Wherever possible hedgerows should be retained within site designs and where appropriate enhanced through additional hedgerow planting or improved management.
- Water courses on or adjacent a site should have their bank side vegetation retained intact and increases in disturbance and human access avoided. A standard buffer of 8-10 is recommended.
- Areas of landscaping and ornamental beds around buildings could be planted with native trees, shrubs and wildflowers to maximise the habitat potential of development sites.
- Ponds and wetland areas could be incorporated into developments of any size to increase habitat diversity.
- Invasive species such as Japanese Knotweed should be appropriately controlled prior to any development to ensure they are not spread into the wider environment.

4. FINANCIAL IMPLICATIONS [SJE]

4.1 The cost of this survey has been met through Site Allocations DPD budget which was drawn down from the LDF Reserve at the start of the financial year.

5. LEGAL IMPLICATIONS [MR]

5.1 Set out in the report.

6. CORPORATE PLAN IMPLICATIONS

6.1 The NPPF requires Local Authorities to minimise pollution and other adverse effects on the local and natural environment when preparing plans. Plans should allocate land with the least environmental or amenity value, where consistent with other policies in the NPPF. This report relates to an evidence base that is required in order to inform future planning in relation to conserving and enhancing the natural environment.

6.2 The preparation of the Local Plan is of relevance to the delivery of the following aims of the Corporate Plan:

- 1 Creating a vibrant place to work and live
- 2 Empowering communities
- 3 Supporting individuals
- 4 Providing value for money and pro-active services

7. CONSULTATION

7.1 During the preparation of the Extended Phase 1 Habitat Survey, the Leicestershire County Council Ecologist were consulted.

8. RISK IMPLICATIONS

8.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

8.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

8.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Failure to publish the Report would result in the Borough Council using a dated evidence base document when producing development plan documents, this could result in the document being found unsound.	Adopt the evidence	Policy and Regeneration Manager

9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

9.1 The Extended Phase 1 Habitat Survey will enable the delivery of biodiversity enhancements as well as providing mitigation measures to compensate for the adverse effects of development.

10. CORPORATE IMPLICATIONS

10.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications – None arising from this report
- Environmental implications – Contained within the body of the report
- ICT implications – None arising from this report
- Asset Management implications – None arising from this report
- Human Resources implications – None arising from this report

- Planning Implications – Contained within the body of the report
 - Voluntary Sector – None arising from this report
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Background papers: Extended Phase 1 Habitat Survey 2014

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