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Richard Bennett
Head of Planning and Regeneration
Charnwood Borough Council

development.control@charnwood.gov.uk

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Mr Bennett

Planning consultation: Application for outline planning permission (including point of Access) for up to 30no. dwellings (Class C3) with associated access, landscaping, open space and drainage infrastructure

Location: Land off Leconfield Road, Nanpantan, Loughborough

Thank you for your consultation on the above dated 15 February 2021 which was received by Natural England on 15 February 2021.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application would:

- damage or destroy the interest features for which Beacon Hill, Hangingstone and Out Woods Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measure is required:

- A Construction Environmental Management Plan (CEMP) should be produced and must contain suitable mitigation measures to reduce the potential impacts of dust during the construction phase.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure this measure.

Natural England's further advice on designated sites and advice on other natural environment issues is set out below.

Further advice on mitigation

Beacon Hill and Outwoods provide some of the best habitat in Leicestershire for breeding birds. The Outwoods support one of the most interesting stands of ancient semi-natural woodland in the county. The Hangingstone and Outwoods area includes important geological exposures while Beacon Hill supports a succession of semi-natural habitats ranging from acidic grassland at the summit down through bracken covered slopes into area of secondary Oak and Birch woodland. A pond at the eastern end of Beacon Hill feeds a small stream and marsh, whilst a second pond is one of only three sites in Leicestershire for Palmate newts. Hangingstone Golf course supports a similar range with more extensive acid grassland. Although altered by recent replanting, the Outwoods retain many ancient semi-natural woodland plants and another Palmate newt breeding site. tree pipit, grasshopper warbler, redstart, cuckoo, green woodpecker, lesser spotted woodpecker, whitethroat and tawny owl.

Dust, or particles, falling onto plants can physically smother the leaves affecting photosynthesis, respiration, transpiration and leaf temperature. Larger particles can also block stomata. There may also be toxicity issues (caused by heavy metals particles) and potential changes in pH (particularly if the dust is alkaline (e.g. cement dust)). Lichens can be directly affected by the dust (shading, chemical effects) or by changes in bark chemistry.

Dust particles in the atmosphere arise from a wide variety of sources. Both the size and chemical composition vary widely in relation to the nature of the source. The rates at which dust particles are removed from the atmosphere depend strongly on their size. Large particles (>30 µm) deposit rapidly near their source (within 100m) by gravitational settling; Intermediate particles (10-30 µm) are likely to travel up to 200-500m (DETR, 2000). Dust produced during the construction phase could cause smothering effects if the designated site is within approx. 200m. Smaller particles (<10 µm) can travel up to 1km from source and some (size range 0.1 - 2 µm) can be transported over long distances - even between different countries and continents.

The Construction Environmental Management Plan should detail the specific mitigation measures being used to prevent, minimise and control dust mobilisation. These may include: locating machinery and dust causing activities away from sensitive receptors, erecting physical barriers such as screening at the site boundary, vehicle wheel washing, covering vehicle loads and skips and stockpiles, using enclosed chutes, and using water as a dust suppressant where applicable.

Further information on SSSIs and their special interest features can be found at www.natureonthemap.naturalengland.org.uk. Any application should include a full assessment of the direct and indirect effects of the development on the features of special interest within these sites and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Additional advice

In addition to the above material considerations, Natural England would advise on the following issues.

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 175 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and ancient and veteran

trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a SSSI or in exceptional circumstances.

Whilst it is noted that an appropriately sized buffer area has been included along the western boundary of the site, improving transitional habitat through native species planting is recognised as a Primary Objective within [Loughborough University's Burleigh and Holywell Woodland Management Plan](#). We therefore advise that the buffer area should contain appropriate native species planting, the management plan highlights the importance of transitional woodland edge habitat creation.

Burleigh wood is currently accessed informally by residents of Nanpantan; it is advised that any further action on a formal access route through the site should be undertaken with the guidance of Loughborough University, who own the patch of woodland, to achieve the best outcome for both the woodland and the residents of Nanpantan.

Biodiversity Net Gain

Biodiversity net gain is a demonstrable gain in biodiversity assets as a result of a development project that may or may not cause biodiversity loss, but where the final output is an overall net gain. Net gain outcomes can be achieved both on and/or off the development site and should be embedded into the development process at the earliest stages.

The government is intending that it will mandate net gains for biodiversity on new developments in England to deliver an overall increase in biodiversity. Natural England therefore suggests that your authority may want to advise the applicant to follow the net gain approach and take the opportunity within this proposal to be an exemplar development which can demonstrate a net gain in biodiversity. The Biodiversity metric 2.0 (beta test version) is now available and includes a user guide, calculation tool and detailed technical supplement which can all be downloaded from: <http://nepubprod.appspot.com/publication/5850908674228224>.

The advantage of using a recognised metric to deliver net gain is that it provides a clear, transparent and evidence-based approach to assessing a project's biodiversity impacts that can assist with "de-risking" a development through the planning process and contribute to wider place-making.

Due to the sites existing use, the soil will remain nutrient rich. Therefore, we advise that careful thought must go into the design and management of any planting intended to create gains in biodiversity. Attempts to create low nutrient habitat on nutrient rich land without additional measures are unlikely to be successful as a result of competition from nutrient tolerant species, e.g. Common Nettle (*Urtica dioica*).

Open Space

Whilst the site is not listed as Open Space, the current informal use of the site by local residents may warrant the consideration of Local Plan Policies CS11, CS12 and CS15 (Charnwood Local Plan 2011 – 2028 Core Strategy).

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 171 and 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. A list of priority habitats and species can be found [here](#)¹.

- Burleigh Wood is listed as a section 41 habitat, hence we advise that it should be afforded the appropriate considerations within any planning decisions.

Green Infrastructure

Successful implementation of green infrastructure within developments can deliver multiple benefits, from improvements to health and wellbeing, to biodiversity net gain and climate change mitigation.

Natural England welcomes the green infrastructure element of the proposal as set out on the illustrative masterplan showing a protective green strip approximately 20 m wide along the boundary with Burleigh Wood. . In order to secure this, Natural England would advise the attaching of a suitably worded planning condition which would allow further detail to be addressed through a subsequent full application. As outlined within the ancient woodland section of this response, we advise that careful thought must go into the design and management of any planting intended to create gains in biodiversity within this buffer.

Additional evidence and case studies on green infrastructure, including the economic benefits of GI can be found on the Natural England [Green Infrastructure web pages](#).

Further general advice on consideration of other natural environment issues is provided at Annex A.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, they may seek advice through our [Discretionary Advice Service](#), subject to resources.

If you have any queries relating to the advice in this letter please contact me on 020 8720 4183.

We would be pleased to provide advice on the discharge of planning conditions or obligations attached to any planning permission to address the issues above .

Should the proposal change, please consult us again.

Yours sincerely

Robbie Clarey
Lead Adviser- East Midlands Area Delivery

¹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

Annex A – Additional Advice

Natural England offers the following additional advice:

Landscape

Paragraph 170 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute Guidelines for Landscape and Visual Impact Assessment](#) for further guidance.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 170 and 171). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in [GOV.UK guidance](#). Agricultural Land Classification information is available on the [Magic](#) website on the [Data.Gov.uk](#) website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Protected Species

Natural England has produced [standing advice²](#) to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Environmental enhancement

Development provides opportunities to secure net gains for biodiversity and wider environmental gains, as outlined in the NPPF (paragraphs 8, 72, 102, 118, 170, 171, 174 and 175). We advise you to follow the mitigation hierarchy as set out in paragraph 175 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and

² <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Biodiversity duty

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).