

The Leicestershire and Rutland Wildlife Trust (LRWR) upholds that development should not come at the expense of our natural environment. All development, be it housing, commercial or mineral extraction must be designed and delivered in a way that contributes to nature's recovery, not its decline.

The proposed development site is situated immediately adjacent to the Leicestershire and Rutland Wildlife Trust (LRWT) owned Tilton Cutting Nature Reserve. The reserve is designated as a Site of Special Scientific Interest (SSSI), primary for its geological interest, however the site is and especially valuable wildlife corridor for a range of local biodiversity including protected species such as bats, badgers and breeding birds.

LRWT objects to the proposed scheme, primarily on the basis of the following material considerations related to protected sites and species for nature conservation:

- **High potential for adverse impacts on Protected Species and their Habitats**

The Preliminary Ecological Appraisal (PEA), Whitcher Wildlife Ltd, November 2023 provides insufficient information required for the Local Planning Authority (LPA) to fully determine likely impacts on protected species and their habitats. A suite of protected species surveys, also identified within the PEA, are required up-front in order for the LPA to determine whether the outline application is acceptable in principle.

UK government Standing guidance on protected species and development clearly states that LPA's ***"can refuse planning permission if surveys... do not provide enough evidence to assess the likely negative effects on protected species.*** Protected species and development: advice for local planning authorities - GOV.UK (www.gov.uk)

Further surveys for Barn owl, breeding birds, Badgers, Bats and Reptiles are required as an absolute minimum, along with any robust mitigation measures required in-line with the mitigation hierarchy. The supplied PEA clearly states that a follow-on Ecological Impact Assessment (EclA) is required, which is in-line with professional guidelines for the preparation of ecological appraisals. CIEEM, 2017: ***"Under normal circumstances it is not appropriate to submit a PEA in support of a planning application because the scope of a PEA is unlikely to fully meet planning authority requirements in respect of biodiversity policy and implications for protected species."*** Guidelines-for-Preliminary-Ecological-Appraisal-Jan2018-1.pdf (cieem.net)

Note that ODPM Regulations require all surveys to be submitted prior to the determination of a planning application. **It is also essential that the extent that they may be affected by the proposed development is established before the planning permission is granted** (Reference: Paragraph 99 of ODPM Circular 06/2005 Biodiversity and geological conservation: circular 06/2005 - GOV.UK (www.gov.uk))

- **Adverse impacts on Statutory Protected Sites – LRWT Nature Reserve Tilton Cutting SSSI**

The proposed scheme must avoid any unnecessary adverse impacts on local biodiversity including the adjacent statutory protected site, Tilton Cutting SSSI. No consideration appears to have been made on

the significance of potential impacts on the nature reserve, including associated mitigation measures needed to avoid unnecessary harm to its designated features.

In accordance with NPPF, 2021 Paragraph 180 (B) 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 proposed scheme would inevitably lead to significant harm to the designated geological features of Tilton Cutting, through increased levels of disturbance caused by increased/unrestricted footfall via the development. The impact of “fossil hunters” on the site is well documented and has substantially increased over recent years leading to major damage to the site. There is serious concern that a scheme of this type and scale would greatly exacerbate this issue, therefore much greater consideration must be given to how the SSSI would be fully protected as a result of this scheme.

Other direct and indirect impacts the biodiversity features of the site must also be considered in much greater detail. For example, the significance of the adjacent Tilton Cutting SSSI as an important “dark corridor” for commuting bats has been overlooked, including the need for sensitively designed artificial lighting plans/appropriate buffers around the nature reserve etc.

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