

Leicestershire County Council (A511 Growth Corridor) (Side Roads) Order 2023

Leicestershire County Council (A511 Growth Corridor) Compulsory Purchase Order 2023

PINS Ref: NATTRAN/EM/HAO/299

Summary of the Proof of Evidence of Max Wade

Ecology

dated 20 May 2024

1 Introduction

1.1 Qualifications and Experience

1.2 I, Professor Max Wade, am a Technical Director (Ecology) at AECOM. I have been in this role since 2014. In my role I am part of the team undertaking the ecology assessment. I have extensive experience in ecology and biodiversity appraisals for a wide range of developments including highway schemes.

1.3 Section 1 of my Evidence provides an overview of my qualifications and experience.

1.4 This summary proof of evidence (hereinafter referred to as this **Summary**) summarises my Proof of Evidence (my **Evidence**) which is made in support of the Leicestershire County Council (A511 Growth Corridor) (Side Roads) Order 2023 (the **SRO**) and the Leicestershire County Council (A511 Growth Corridor) Compulsory Purchase Order 2023 (the **CPO**) (together, the **Orders**) in connection with the Leicestershire County Council A511 Growth Corridor (also referred to in this Summary and my Evidence as the **Scheme**).

1.5 The facts and matters set out in this Summary are within my own knowledge. The facts set out below are true to the best of my knowledge and belief. Where reference is made to facts which are outside my knowledge, I set out the source of my information and I believe such information to be true.

1.6 I have been assisted by other professional advisors and officers of Leicestershire County Council (the **Council**) with the preparation of my Evidence, some of whom will also provide evidence at the inquiry.

1.7 Involvement with the Scheme

1.8 My role in the Scheme began in April 2024 and has involved reviewing:

1.8.1 the ecological appraisal of the proposed Bardon Link Road and the wider Scheme;

1.8.2 the biodiversity assessment of the proposed Bardon Link Road; and

1.8.3 the need for ecology mitigation and the scope for biodiversity enhancement.

2 Scope of Evidence

2.1 My Evidence focuses on those ecology and biodiversity matters relevant to the proposed Bardon Link Road, which is a part of the wider Scheme. As set out in Section 2 of my Evidence, the works on the other eight Projects forming the Scheme have a *de minimis* affect with respect to ecology and biodiversity.

2.2 Section 2.2 of my Evidence provides an overview of my Evidence. In summary my Evidence aims to:

2.2.1 show how ecology and biodiversity considerations influenced the development and design of the Bardon Link Road;

2.2.2 explain how the impacts of the proposed Bardon Link Road on ecology issues were assessed and justify that i) the Scheme is positive from an ecology and

biodiversity perspective and ii) there is no land being acquired solely for ecology and biodiversity enhancement reasons;

2.2.3 set out the positive case for the proposed Bardon Link Road;

2.2.4 note that this position was unchallenged by the relevant bodies; and

2.2.5 set out AECOM's appraisal of the proposed Bardon Link Road and the biodiversity gain.

2.3 My Evidence is not relevant to Objections 1-7 (inclusive) for which ecology was not raised as a relevant matter.

2.4 The matters pertaining to Objections 1-7 are not related to land required for biodiversity mitigation and, or enhancement and are entirely highway related. As such, my Evidence does not focus on these.

3 **Ecology Evidence**

3.1 Section 3.1 of my Evidence provides an overview of the legislation and policy considered when undertaking the Preliminary Ecological Appraisal (Document P13 in the List of Documents) (**PEA**), identifying potential constraints and making recommendations for further surveys, design options and mitigation.

3.2 **Biodiversity Net Gain (BNG)**

3.3 There are four sequential steps that must be taken throughout the lifecycle of a project in accordance with the requirements of British Standard 42020:2013 Biodiversity (Document NP18 in the List of Documents):

3.3.1 Avoidance;

3.3.2 Minimisation;

3.3.3 Restoration or rehabilitation (mitigation); and

3.3.4 Offsets.

3.4 Please see Section 3.2 of my Evidence for further details as to these four steps.

3.5 **Preliminary Ecological Appraisal (PEA)**

3.6 The proposed Bardon Link Road was initially assessed through a PEA undertaken in 2020 (and updated in 2022) for the proposed the Scheme. The PEA:

3.6.1 evaluated the ecological condition of the habitats present within the Scheme;

3.6.2 informed the extent of any ecological mitigation measures;

3.6.3 determined measures to ensure the Scheme achieves BNG; and

3.6.4 identified the need for further surveys of specific biodiversity features.

- 3.7 Table 1 in Section 3 of my Evidence provides a summary of the biodiversity assessments of the Scheme, including the following:
- 3.7.1 PEA;
 - 3.7.2 Badgers;
 - 3.7.3 Bats;
 - 3.7.4 Riparian mammals;
 - 3.7.5 Reptiles; and
 - 3.7.6 Aquatic ecology.
- 3.8 These assessments included recommendations for mitigation and species enhancement.
- 3.9 It was concluded that the Great Crested Newt was absent from the proposed Bardon Link Road and that although other mammals may be impacted by the proposed Bardon Link Road, the implementation of precautionary working methods would avoid any adverse impact.
- 3.10 A biodiversity assessment was undertaken for the Scheme (Biodiversity Net Gain Report. June 2023 (Document P30 in the List of Documents)). A summary of the results of the biodiversity assessment is contained in Table 2 of my Evidence.
- 3.11 The biodiversity assessment concluded that the Scheme would result in a small net gain. Condition 15 of the S73 Bardon Link Road Planning Permission also secures management of the BNG for a minimum of 30 years.
- 3.12 Whilst the Orders are not acquiring plots for the purposes of providing BNG, some of the plots will contain BNG features once acquired, providing additional justification for the acquisitions.
- 3.13 **Summary of the Effects of the Bardon Link Road on Ecology**
- 3.14 The PEA and surveys undertaken have following recognised methods and guidelines (please see Table 1 of my Evidence).
- 3.15 The scoping, methods and results of these surveys have been endorsed by the Development Control and Regulatory Board and the ecological advice provided to the Board.
- 3.16 Adverse effects on ecology and biodiversity which may arise during construction of the Scheme will be minimised and mitigated through the Construction Environmental Management Plan and other mitigation measures as detailed in Table 1 of my Evidence.
- 3.17 In some cases, for example compound areas, construction effects will be both reversible and of short duration and the effect on their biodiversity will be negligible.

3.18 **Measures for Biodiversity Mitigation and Enhancement**

3.19 In accordance with the NPPF and local planning policy the Bardon Link Road was designed to:

3.19.1 follow the mitigation hierarchy where there was potential for impacts on relevant ecological receptors; and

3.19.2 give consideration of the scope for enhancement representing biodiversity gain over and above that achieved through mitigation and compensation.

3.20 The reports referenced in Table 1 of my Evidence include recommendations for mitigation and for species enhancement. Possession of certain plots will facilitate mitigation for badgers and bats.

3.21 The biodiversity mitigation and species enhancement are primarily provided through new wet woodland, lowland broadleaved woodland and improvements to existing grassland. Please see Table 3 of my Evidence for further details.

4 **Conclusion**

4.1 Taking into account the location, nature, and design of the overall proposals, the biodiversity measures and enhancement are proportionate to a scheme of this type and represent the minimum required to achieve adequate biodiversity mitigation and enhancement.

4.2 in support of the Orders and the overall Scheme, I conclude that the biodiversity mitigation and enhancement achieved is appropriate to achieve the necessary biodiversity mitigation and to ensure that there will be a small net gain in the biodiversity of the proposed Bardon Link Road.