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Issued via email to:

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LUTTERWORTH ROAD, BURBAGE – BIODIVERSITY IMPACT ASSESSMENT (BIA) RATIONALE LETTER

RammSanderson Ecology Ltd (RS) were commissioned by Davidsons Developments Ltd to undertake a biodiversity impact assessment (BIA) to inform the full planning application for the proposed additional housing plots located at Lutterworth Road, Burbage (central Ordnance Survey National Grid Reference: SP 44627 92126). All land situated within the red line/planning application boundary shown in Figure 1 is hereafter referred to as the Site.

The BIA (otherwise known as 'Biodiversity Net Gain' [BNG] assessment) for the Site was issued to the client by RammSanderson on 04/10/2024. Previous BIAs have also been issued by Focus Environmental Consultants which include the Site. The baseline habitats used within the RammSanderson BIA differ from those within the previously issued Focus Environmental Consultants BIAs. Therefore, this letter is intended to detail the rationale behind deciding which baseline habitats to use for the 2024 BIA of the additional housing plots land.



Figure 1. The Site

BACKGROUND INFORMATION

The Site as shown above is a second phase of development, of an already approved, and active wider Davidsons Developments Ltd residential development ('Land East of Lutterworth Road', planning ref: APP/K2420/W/20/3265143) which is currently under active construction. This wider development is hereafter referred to as the 'wider residential development', or 'phase 1'.

2022 REPORTS

A BIA using DEFRA Metric 3.1 was previously conducted by Focus Environmental Consultants to inform the planning application for the wider residential development (November 2022). This was informed by a habitat survey carried out by Focus Environmental Consultants in 2019. The BIA included assessment of the Site. As shown in Figure 2, the habitat parcels within the Site were described as being 'other neutral grassland' in moderate and fairly good condition. Hedgerow habitats were also recorded. The report included recommendations to retain and enhance existing grassland within the Site, and also to translocate a section of grassland from the Site to an off-site area (as shown in Figure 3). The wider residential development outline planning application received planning permission, with conditions, including Condition 19 as follows:

"Development shall not commence until details of the grassland turf translocation methodology have been provided and agreed with the LPA."

Focus Environmental Consultants also issued a Grassland Turf Translocation Methodology and Management Plan in November 2022 further detailing the methodology and habitat management to satisfy this planning condition.

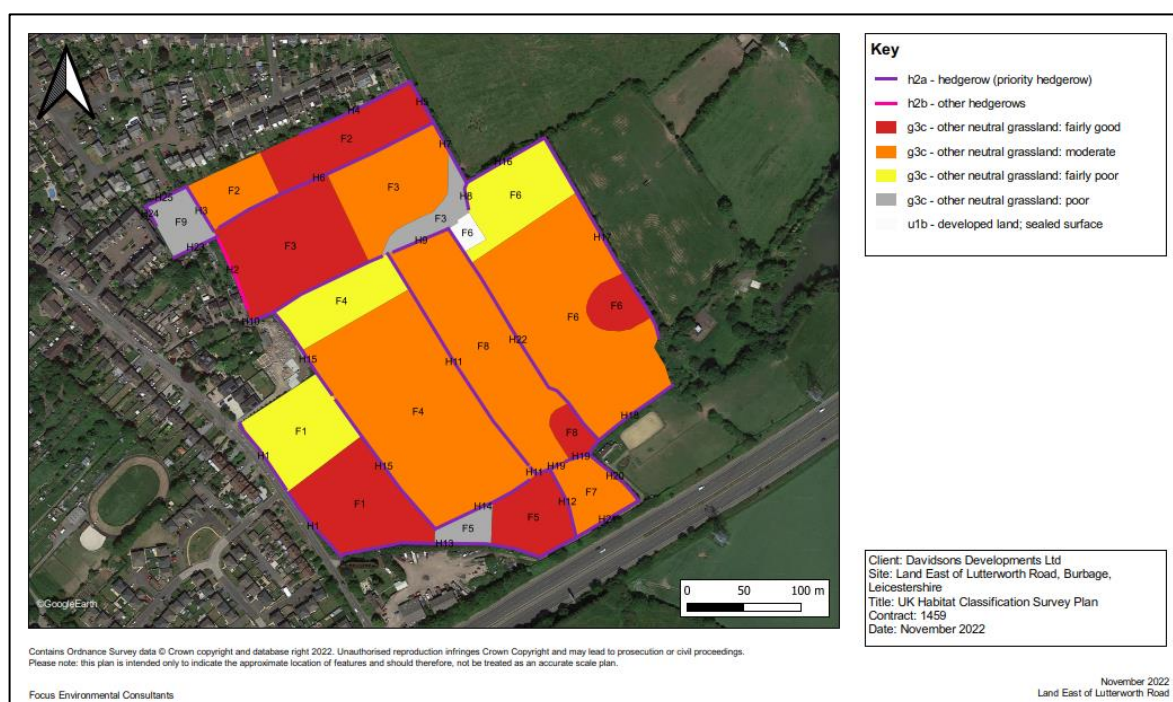


FIGURE 1: Focus Environmental Consultants BNG Assessment Results (Focus Environmental Consultants, 2022)

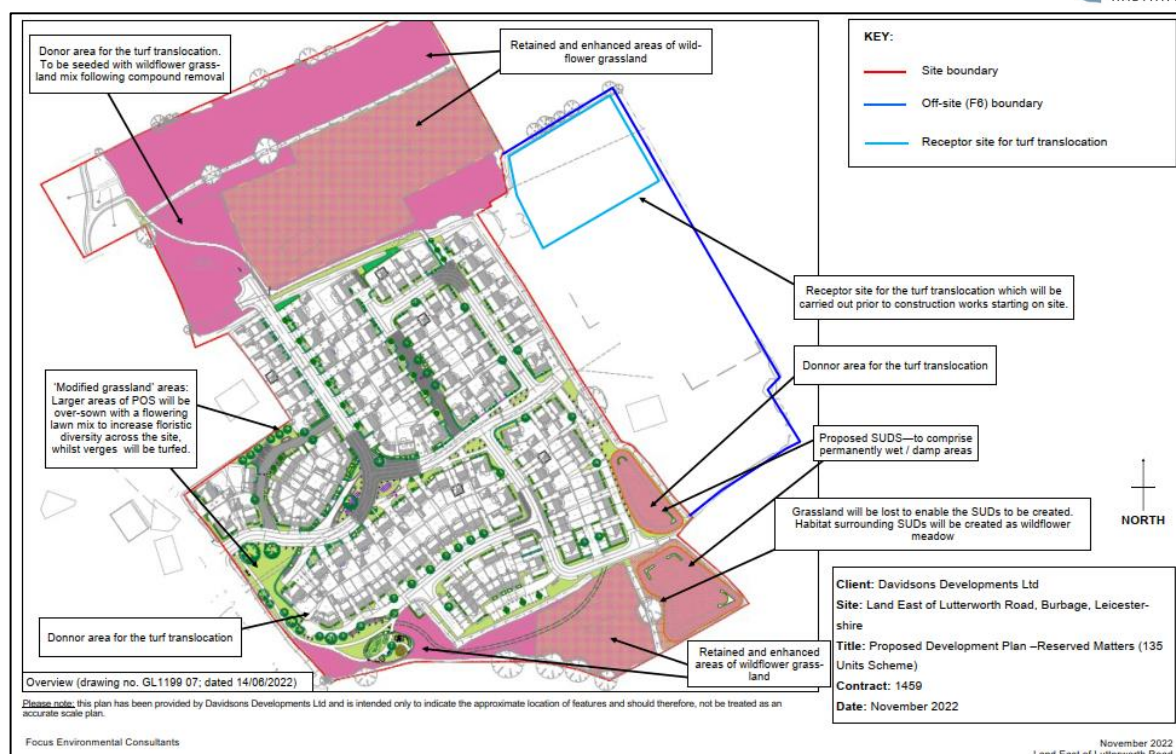


FIGURE 2: Habitat Proposals For BNG and Grassland Translocation (Focus Environmental Consultants, 2022)

During the early part of 2023, Davidsons invited RammSanderson's habitats team to tender for the grassland translocation scheme, which began our involvement with the project. We provided a methodology and quotation to complete the translocation, the first part of which involved a walkover and site meeting with Davidsons, and LCC Ecologist Sarah Postlethwaite.

2023 SITE WALKOVER

Oliver Ramm (Director, RammSanderson), Sarah Postlethwaite (Senior Ecologist, Leicestershire County Council [LCC]), Paul Waterfield (Technical Director, Davidsons Developments) and representatives from RSE Habitats, and the ground works contractor, held a site meeting and undertook a walkover of all compartments of the wider residential development and the current application site in summer 2023. During this survey it was deemed that the grassland within the Site was not of sufficient quality or diversity to warrant turf translocation, as it was only marginally higher quality than the proposed receptor area. The majority of grassland across the site was heavily improved and dominated by Perennial Rye Grass (*Lolium perenne*), in the main, with pockets of greater diversity in each compartment/certain compartments, but nothing was recorded which would warrant a scheme of translocation.

Therefore, the turf translocation was deemed unnecessary and alternative BNG mitigation was suggested via email communication from Oliver Ramm to Paul Waterfield and Sarah Postlethwaite on 21/09/23. This included seeding the proposed turf receptor sites with a species-rich seed mix. It was advised that the seed mix should not be taken from Site due to the number of undesirable species present.

It was agreed by all parties, due to the past records of Adders Tongue Fern (*Ophioglossum vulgatum*) on site, that the area around the record (LLERC, 2010) would be fenced off until a specific survey for the species could be undertaken. It was further agreed that if any plants of this species were recorded during this survey, they would be translocated to an undisturbed area of the site. Furthermore, it was agreed that topsoils arising from site preparation (cut & fill) works, and soil management on the phase 1 construction site area, would be moved to the ridges of the ridge and furrow field which is to be retained as part of the proposals, then overseeded with a suitable grassland seed mixture, to retain and enhance the ridge and furrow field area.

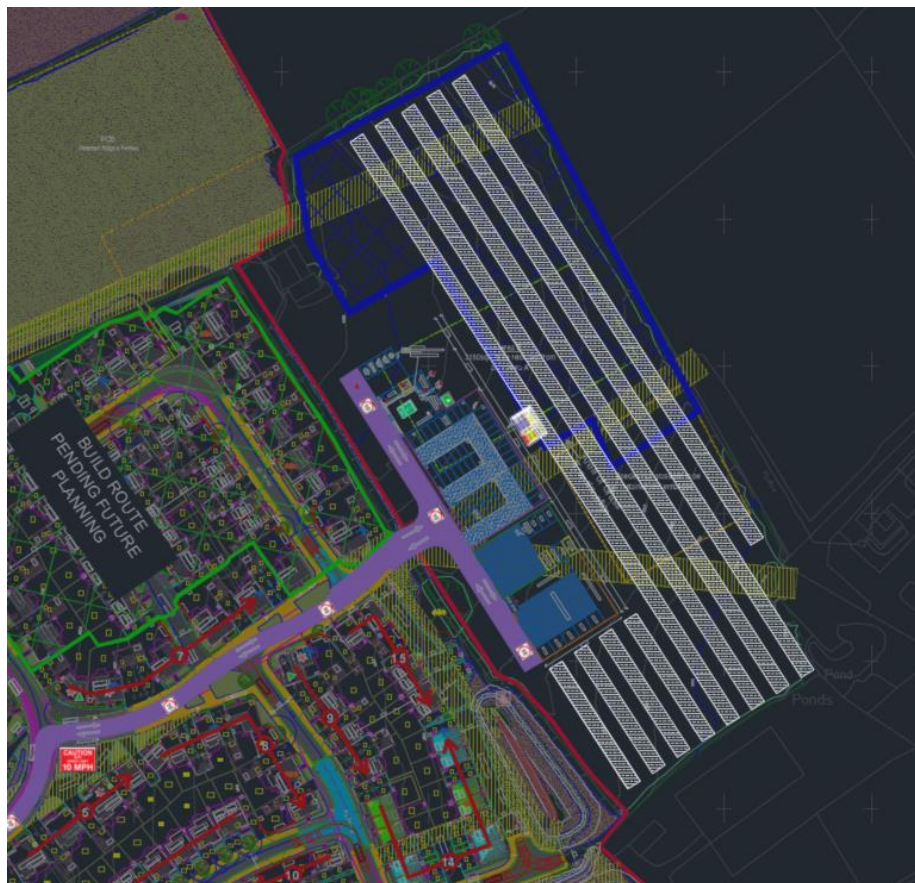


FIGURE 3: General arrangement for soil storage and ridge & furrow enhancement (hatched lines show ridges approximately 5m wide, which were increased in height to 0.6m along the centre lines)

In May 2024, a specific Adders Tongue Fern survey was completed, and confirmed the presence of the species, at low concentrations. The locations were marked up prior to an ecological clerk of works supervising the translocation of these plants to a suitable receptor area. On completion of this exercise, approximately 24 individual plants were translocated and watered in, well away from the construction area. The translocated plants will be monitored for regrowth and the surrounding turf managed so as to benefit them going forward. The plants were translocated into furrows of the retained, enhanced, ridge and furrow field area as shown in Figure 3 above.

2024 UKHAB SURVEY

A UKHab survey was carried out for the phase 2 application Site on 27/09/24 by Principal Biodiversity Consultant Katherine Carter. The results of this survey classified the grassland habitats within the Site as 'g4 - Modified grassland'. The justification for this classification was detailed within the preliminary ecological appraisal (PEA) report (RSE_5861f_R1_V1_PEAR):

"The grassland was previously classified as 'g3c - Other neutral grassland' (Focus Environmental Consultants, 2022). However, in order to be classified as 'g3c - Other neutral grassland', three of the following four criteria must be met (UKHab Ltd., 2023):

1. >20% cover of broadleaved herbs and sedges;
2. >8 species per m² (including forbs, grasses, sedges and rushes, and excluding bryophytes);
3. ≥1 grass species that is not generally sown for intensive agricultural production (ie. Rye-grasses *Lolium* spp., Timothy *Phleum pratense*, Cock's-foot *Dactylis glomerata*, Meadow fescue *Festuca pratensis*) is at least abundant;
4. Cover of Rye-grasses *Lolium* spp. and White Clover *Trifolium repens*, where present, is <30%."

The grassland only achieves criteria 3 and 4, but fails to meet criteria 1 and 2.

Furthermore, the 'g4 – Modified grassland' category includes species -poor grasslands which have occurred through natural succession, where cover of Lolium sp. is less than 'abundant', and where grass cover is >75%. Therefore, this grassland meets the criteria for 'g4 – Modified grassland'."

2024 BIODIVERSITY IMPACT ASSESSMENT

Due to this being the second phase of development on this site, and with a baseline dating back to Focus' 2019 survey, and the metric used within the first phase of development being DEFRA Metric v.3.1, the prior work was considered to be obsolete. Furthermore, given the preceding, whereby, the baseline was considered to no longer accurately reflect the current site conditions during site walkovers and surveys completed by RammSanderson in 2023 and 2024, which was accepted by LCC, our conclusion as to the most robust means of progressing the phase 2 application, was to complete an up to date baseline survey, and to assess the biodiversity impacts using the latest version of the DEFRA Metric (the now adopted Statutory Biodiversity Metric).

Prior to making this decision, we attempted on several occasions to consult with LCC Ecology, but received no response.

SUMMARY

In the absence of advice from LCC, it was decided that the updated UKHab survey data (RammSanderson, 2024) would be used for the BIA baseline, for the following reasons:

1. The Focus Environmental Consultants survey data which was used to inform their BIA was out of date, as the habitat data was recorded in 2019. As per CIEEM guidance, habitat survey data of more than three years old is unlikely to still be valid and would likely need updating.
2. The grassland habitats within the Site land have degraded since the Focus Environmental Consultants BIA was issued; as evidenced by the walkover survey conducted by Oliver Ramm and Sarah Postlethwaite in 2023, and the updated UKHab survey in 2024. Therefore, using the Focus Environmental Consultants data would not provide an accurate measure of the current biodiversity value of the Site.
3. LCC were not contactable for advice prior to the 2024 RammSanderson habitat survey and updated BIA work commencing, however, the grassland condition was discussed (at high level) and agreed with Sarah Postlethwaite of LCC during the walkover survey in 2023.
4. BNG guidance states that where habitats have been intentionally degraded to reduce the baseline biodiversity value of a site, then the baseline habitat classifications and values should be taken prior to this intentional degradation. In this case, it is not apparent that any habitats have been intentionally degraded. Therefore, the guidance regarding use of historical survey data is not relevant in this case.

The PEA report issued by RammSanderson in September 2024 detailed the results of the BIA, and proposed 'off-site' mitigation measures in order to surpass the target of +10% BNG.

I trust this letter is satisfactory to your requirements. However, if further information is required, please do not hesitate to contact me directly.

Yours Sincerely

Katherine Carter MSc BSc (Hons)

Principal Biodiversity Consultant