Lagan Homes

Land West of Ratby

ECOLOGICAL APPRAISAL

August 2024

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Rev	Issue Status	Prepared / Date	Approved / Date
-	Working Draft	RAM/LTW / 15.03.24	JAW / 08.05.24
A	Final	LTW / 01.08.24	

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1.0 INTRODUCTION

1.1 The following report has been prepared by FPCR Environment & Design Ltd. on behalf of Lagan Homes and details the results of an Ecological Appraisal of a site on land to the west of Ratby, Leicestershire (Central grid ref: SK 50744 06004). The survey comprised a desk study and Extended Phase 1 and UKHAB Survey, including initial observations of any suitable habitats for, or evidence of, protected species.

Site Location and Context

1.2 The site is approximately 33 ha in size, dominated by farmland including arable fields and pastureland, bound, and divided by hedgerows. Field compartments to the north of Burroughs Road comprised temporary grass and clover ley, with woodland and willow plantation present to the northwest. Habitats to the south of Burroughs Road were dominated by grassland, with cattle present to the south. Several mature trees were noted within hedgerows and field compartments. The surrounding landscape is dominated by woodland, arable and pastureland with the village of Ratby located to the north and east. A small stream is located between the two redline compartments, which flows under Burroughs Road and through mature woodland bordering the site to the southwest.

Development Proposals

1.3 Proposals include an outline planning application (with all matters reserved apart from access) for a phased, mixed-use development comprising about 470 dwellings (Use Class C3) or, in the alternative, about 450 dwellings and care home (Use Class C2). Provision of land for community hub (Use Class F2); provision of land for 1FE primary school (Use Class F1); and associated operations and infrastructure including but not limited to site re-profiling works, sustainable urban drainage system, public open space, landscaping, habitat creation, internal roads/routes, and upgrades to the public highway.

2.0 METHODOLOGY

2.1 In order to compile existing baseline information, relevant ecological information was requested from both statutory and non-statutory nature conservation organisations including:

- The Leicestershire Environmental Records Centre (LERC)
- The Multi Agency Geographic Information for the Countryside (MAGIC) website[1]

2.2 Further inspection of colour 1:25000 OS base maps (www.ordnancesurvey.co.uk) and aerial photographs from Google Earth (www.maps.google.co.uk) was also undertaken in order to provide additional context and identify any features of potential importance for nature conservation in the wider countryside.

2.3 The search area for biodiversity information was related to the significance of sites and species and potential zones of influence, as follows:

- 5km around the application area for sites of International Importance (e.g. Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Ramsar sites).

1 www.magic.gov.uk

- 2km around the application area for sites of National or Regional Importance (e.g. Sites of Special Scientific Interest (SSSIs)).
- 1km around the application site for sites of County Importance (e.g. Sites of Importance for Nature Conservation (SINC)/Local Wildlife Sites (LWS)) and species records (e.g.: protected, Species of Principal Importance under the NERC Act (2006) or notable species).

Flora/Habitats

2.4 An Extended Phase 1 Habitat Survey was undertaken on the 5th and 6th of October 2023. Survey methods followed the Extended Phase 1 Survey technique and UK Hab (2023) methodology[2] which involved a systematic walkover of the site to classify the broad habitat types and identify any 'Habitats of Principal Importance' for the conservation of biodiversity as listed within Section 41 (S41) of the Natural Environment and Rural Communities (NERC) Act 2006. Habitat classification and condition assessments of the onsite habitats were also undertaken in accordance with the Defra Biodiversity Statutory Metric.

2.5 An update survey and condition assessment of the grassland was undertaken in the optimal season on 25th June 2024.

2.6 Where appropriate, hedgerows were broadly assessed against the Wildlife and Landscape criteria contained within The Hedgerow Regulations 1997 to determine whether they qualified as 'Important Hedgerows'. This was achieved using a methodology in accordance with both the Regulations and DEFRA guidance.

2.7 It should be noted that hedgerows may also qualify as Important under the Archaeological criteria of this Act, which is beyond the scope of this assessment.

Fauna

2.8 Throughout the Extended Phase 1 Habitat Survey, consideration was given to the actual or potential presence of protected species, such as, although not limited to those protected under the Wildlife and Countryside Act 1981 (as amended)[3], the Protection of Badgers Act 1992[4] and the Conservation of Habitats and Species Regulations 2017 (as amended)[5]. Consideration was also given to the existence and use of the site by other notable fauna such as Species of Principal Importance NERC (2006)[6], or Red Data Book (RDB) species. This included recording trees of sufficient size or age to support potential roosting features for bats.

Other Species

2.9 Any sightings, evidence of or suitable habitats for other protected fauna, local BAP or otherwise notable species were recorded during the site visit.

2 UKHab Ltd (2023). UK Habitat Classification Version 2.0. https://ukhab.org/

3 The Wildlife and Countryside Act 1981 (as amended). [Online]. London:HMSO Available at http://www.legislation.gov.uk/ukpga/1981/69

4 The Protection of Badgers Act 1992 (as amended). [Online]. London:HMSO Available at: http://www.legislation.gov.uk/ukpga/1992/51/contents

5 The Conservation of Habitats and Species Regulations 2017 – Statutory Instrument 2010 No.490. [Online]. London: HMSO. Available at: http://www.legislation.gov.uk/uksi/2010/490/introduction/made

6 The Natural Environment and Rural Communities Act 2006. [Online]. London: HMSO Available at: http://www.legislation.gov.uk/ukpga/2006/16/contents

3.0 RESULTS

Desk Study

3.1 The locations of designated sites and faunal records are illustrated in Figure 1a – Designated Sites and Figure 1b– Protected Species Plan.

Statutory Designations

3.2 No international sites of importance for nature conservation were returned within 5km of the site. A single site of national importance, Groby Pool and Woods SSSI is located approximately 1.7km to the northeast; designated for complex habitats and the botanical species and bird communities it supports.

Non-statutory Designations

3.3 Fifteen non-statutory designated sites were identified within 1km of the site boundary including six Local Wildlife Sites (LWS), three potential Local Wildlife Sites (pLWS), and six candidate Local Wildlife Sites (cLWS). Locations are shown on Figure 1a with further details provided within Table 1 below.

Tributaries of Rothley Brook, a potential Local Wildlife Site (pLWS) is located approximately 15m from the boundary at the closest point.

Table 1: Non-statutory Designated Sites within 1km of Site Boundary

Site	Approximate Distance from site at Closest Point	Description
Local Wildlife Sites (LWS)		
Burroughs wood	460m	Ancient semi-natural woodland, partially replanted.
Hedgerow of Crow Lane	900m	Species-rich hedgerow
Choyce's Rough	970m	Broad-leaved woodland
Martinshaw Wood	200m	Ancient semi-natural woodland
Burroughs Verge /Bank	960m	Mesotrophic grassland.
Rothley Brook	840m	River with curled pondweed, eroded earth cliff, moss covered bedrock/boulders, trees with exposed roots & overhanging branches, meanders.
Potential Local Wildlife Sites (pLWS)		
Ratby, tributaries of Rothley Brook	Adjacent to site with watercourse c.15m	Watercourse supporting LWS qualifying physical features such as exposed tree roots and earth banks, meanders, vertical earth banks and sections of cobble substrate. Provide good quality bat foraging/commuting routes/ Water vole/kingfisher potential.
Rothley Brook , Ratby	650m	Small river or stream
Land Rear of 4- 28 Markfield Road Ratby, Mature Poplar	400m	Mature poplar, 1200mm stem diameter.

Site	Approximate Distance from site at Closest Point	Description
Candidate Local Wildlife Sites (cLWS)		
Ratby, grassland and woodland edge west of Burroughs Wood (S)	995m	Woodland (probably ancient) along well-used public footpath adjacent to Ratby Burroughs, as well as moderately species-rich grassland containing Lady's mantle and a colony of Cow-wheat.
Ratby Burroughs (S)	565m	Large woodland predominately made up of oak, ash and sycamore. Areas of the woodland are older and possibly semi-ancient. Ground species include bluebells and wood anemone.
Ratby Church Ponds Close open space	790m	Mesotrophic grassland with 16 LWS inidcators recorded, with swamp and scrub
Ratby Burroughs Meadows	360m	Grassland with recent plantation next to Ratby Burroughs woodland. Moderately species-rich.
Change Spinney	800m	Mixed ash, sycamore and Scot's pine plantation. Some ancient woodland indicator species present including moschatel, wood anemone , yellow archangel, wood sorrel, and bluebells.
Ratby , Field E of Martinshaw Wood, adj to M1	380m	Small moderately species-rich grassland compartment

Protected/Notable Species

3.4 Records of house sparrow *Passer domesticus*, linnet *Linaria cannabina*, skylark *Alauda arvensis*, starling *Sturnus vulgaris*, red kite *Milvus milvus* and badger *Meles meles* were returned within the redline boundary. Multiple species records were also returned within 1km of the site, depicted on Figure 1b with details found in Table 2 below.

Table 2: Protected and Notable Species Records within 1km of Site Boundary

Common Name	Conservation Status	Number of records	Approximate Location of Closest Record	Most recent record/ Further information
Bats				
Brown long-eared bat *Plecotus auritus*	LBAP, WCA Sch5, NERC S41, CHSR	4	55m	2018
Common pipistrelle *Pipistrellus pipistrellus*	LBAP, WCA Sch5, CHSR	20	305m	2017
Long-eared bat species *Plecotus sp.*	LBAP, WCA Sch5, CHSR	1	240m	2000
Myotis bat species *Myotis sp.*	LBAP, WCA Sch5, CHSR	2	420m	2022
Pipistrelle bat species *Pipistrellus sp.*	LBAP, WCA SCh5, CHSR	3	55m	2022
Unidentified bat species *Chiroptera* sp.	LBAP, WCA Sch5, CHSR	4	55m	2021

Terrestrial Mammals				
European Hedgehog *Erinaceus europaeus*	NERC S41	9	175m	2022
Hare *Lepus europaeus*	NERC S41	4	475m	2021
Reptiles/Amphibians				
Common frog *Rana temporaria*	WCA Sch5	8	50m	2023
Common toad *Bufo bufo*	WCA Sch5, NERC S41	3	270m	2020
Slow-worm *Anguis fragilis*	WCA Sch5, NERC S41	5	180m north	2022
Great Crested Newt *Triturus cristatus*	WCA Sch5, NERC S41	1	965m	2019
Smooth newt *Lissotriton vulgaris*	WCA Sch5	3	255m	2023
Birds				
Bullfinch *Pyrrhula pyrrhula*	NERC S41, BoCC Amber	4	115m	2011
Dunnock *Prunella modularis*	NERC S41, BoCC Amber	4	200m	2019
Fieldfare *Turdus pilaris*	WCA Sch1, BoCC Red	7	185m	2021
Greylag goose *Anser anser*	WCA Sch1, BoCC Amber	1	280m	2007
Hobby *Falco subbuteo*	WCA Sch1	1	735m	2001
Barn Owl *Tyto alba*	WCA Sch1	1	770m	2009
Red Kite *Milvus milvus*	WCA Sch1	3	onsite	2021
Red-Throated Diver *Gavia stellata*	WCA Sch1	1	280m	2013
Redwing *Turdus iliacus*	WCA Sch1, BoCC Amber	9	185m	2021
House Martin *Delichon urbicum*	LBAP, BoCC Red	1	280m	2009
House Sparrow *Passer domesticus*	NERC S41, BoCC Red	11	onsite	2022
Linnet *Linaria cannabina*	NERC S41, BoCC Red	1	onsite	2016
Skylark *Alauda arvensis*	NERC S41, BoCC Red	1	onsite	2016
Song Thrush *Turdus philomelos*	NERC S41, BoCC Amber	5	160m	2015
Spotted Fly catcher *Muscicapa striata*	NERC S41, BoCC Red	1	760m	2015
Starling *Sturnus vulgaris*	NERC S41, BoCC Red	7	onsite	2021
Swallow *Hirundo rustica*	LBAP	5	280m	2016

Swift *Apus apus*	LBAP, BoCC Red	5	280m	2022
Willow Tit *Poecile montanus*	NERC S41, BoCC Red	1	880m	2011
Invasive species				
Himalayan balsam *Impatiens glandulifera*	WCA9	1	70m	2008
Japanese Knotweed *Fallopia japonica*	WCA9	2	945m	2010

Key: LBAP – Leicestershire & Rutland Local Biodiversity Action Plan Species; WCA Sch1, Sch5 & Sch9 – Wildlife and Countryside Act 1981 (*as amended*) Schedule 1, Schedule 5, and Schedule 9 respectively; NERC S41 – Natural Environment & Rural Communities Act 2006; CHSR – Conservation of Habitats and Species Regulations 2017; PBA – Protection of Badgers Act 1992; BoCC Amber & Red – RSPB/BTO Birds of Conservation Concern Amber & Red List respectively

Habitats/Flora

3.5 The locations of the habitats described below are illustrated in Figure 2 - Habitat Plan and photographs are included within Appendix A.

Arable

3.6 Arable land was the dominant habitat type recorded within the north of the site, comprising temporary grass and clover leys. At the time of survey, the westernmost field was sown with red clover *Trifolium pratense*, with the remaining fields to the north of Burroughs Road supporting rye grass *Lolium* sp.

3.7 Margins ranged from 0.5m to 1m wide with limited diversity, largely dominated by perennial weeds and coarse grasses. Species composition included abundant common nettle *Urtica dioica* and false-oat grass *Arrhenatherum elatius*, frequent creeping thistle *Cirsium arvense* and broad-leaved dock *Rumex obtusifolius*. Less frequently recorded species included dandelion *Taraxacum agg*., perennial rye-grass *Lolium perenne,* barley *Hordeum* sp., cow parsley *Anthriscus sylvestris* and hogweed *Heracleum sphondylium.*

Modified Grassland

3.8 Field F1 to the south of Burroughs Road comprised modified grassland dominated by perennial rye-grass with a sward height of approximately 20cm. Forb species included locally abundant broadleaved plantain *Plantago major,* abundant white clover *Trifolium repens* and frequent dandelion and creeping buttercup *Ranunculus repens*. Common sorrel *Rumex acetosa* and ribwort plantain *Plantago lanceolata* were rare throughout the sward. Margins supported nutrient-demanding forbs including locally dominant common nettle, frequent broad-leaved dock and occasional cow parsley and hogweed.

3.9 A grass bund was present to the north of the F1 compartment which supported abundant crested dog's-tail *Cynosurus cristatus,* frequent false-oat grass and occasional bent grass *Agrostis* sp*.* and common couch *Elymus repens*. Abundant common nettle and occasional broadleaved dock were also noted alongside rarely occurring ragwort *Senecio jacobaea.*

3.10 Fields F2- F7, to the east of F1 supported a slightly more diverse array of grasses and forb species, however, also met the criteria for modified grassland under UKHab. F3 and F6 were noted to be ridge and furrow. During the initial survey, sward height ranged from approximately 5cm (F6 grazed by cattle) to 30- 50cm within the other fields. All fields supported a longer sward during the update survey of approximately 60cm to 1m; although were in the process of being cut. Species composition varied between fields, however, was largely dominated by Yorkshire fog *Holcus lanatus* with frequent smooth meadow-grass *Poa pratensis.* Additional grass species included creeping bent *Agrostis stolonifera,* Timothy *Phleum pratense,* meadow foxtail *Alopecurus pratensis*, cock's-foot *Dactylis glomerata,* perennial rye-grass and crested dog's-tail. Yellow oat grass *Trisetum flavescens* was also noted within F3 and F5.

3.11 Forb species were largely limited to meadow buttercup *Ranunculus acris* and common sorrel, with occasional creeping buttercup *Ranunculus repens* and rarely occurring common mouse ear *Cerastium fontanum* also present in fields F6 and F7. Locally occasional yarrow *Achillea millefolium* was noted within F2 with red clover *Trifolium pratense* rarely recorded within fields F3 and F4. Rarely occurring common vetch *Vicia sativa* was also recorded within F4.

3.12 F6 supported species indicative of wetter conditions, particularly in proximity to Tributaries of Rothley brook (located to the southern extent of the field outside of the redline boundary). In addition to those noted above, species recorded included compact rush *Juncus conglomeratus*, soft rush *Juncus effusus*, creeping cinquefoil *Potentilla reptans* and sedges *Carex* sp.

3.13 F7 was slightly more diverse, with an average of 6-8 species per metre squared with abundant meadow buttercup and frequent common sorrel. In addition to the species listed above, sweet vernal grass *Anthoxanthum odoratum* was locally occasional, alongside rarely occurring cut-leaved cranesbill *Geranium dissectum,* common daisy *Bellis perennis* and common ragwort *Jacobaea vulgaris.*

3.14 An additional area of modified grassland was noted to the north of Burroughs Road, opposite Ratby Primary School. This comprised amenity grassland within a recreation ground.

Other Neutral Grassland

3.15 A small area of other neutral grassland was identified on a slope within field F5 as shown on Figure 2. Species indicative of higher distinctiveness included locally dominant common cat's ear *Hypochaeris radicata*, occasional bird's-foot trefoil *Lotus corniculatus*, locally frequent lady's bedstraw *Galium verum*, locally occasional dove's-foot crane's-bill *Geranium molle*, occasional field woodrush *Luzula campestris*, ribwort plantain and yarrow.

3.16 Field F8, to the north of site is located adjacent to the Phase 1 development, currently under construction. Divided by a public footpath, the site compound is located to the north of this field. The grassland was unmanaged and comprised frequent and locally abundant false oat grass, frequent bent grass and Yorkshire fog and occasional cock's-foot. Forbs included common sorrel, ribwort plantain, germander speedwell *Veronica chamaedrys*, knapweed *Centaurea nigra*, red clover, and meadow buttercup.

3.17 A small area of marshy grassland dominated by soft rush and Marsh foxtail *Alopecurus geniculatus* was located to the north of Burroughs Road within the central arable field. Species composition also included redshank *Persicaria maculosa*, fat hen *Chenopodium album* and marsh cudweed *Gnaphalium uliginosum*.

3.18 Grass verges to the southeast of site on the road leading to the allotments and Pear Tree Office Park comprised species rich wildflower, which had likely been seeded. Dominated by oxeye daisy *Leucanthemum vulgare* forb species included frequent yarrow, locally abundant lady's bedstraw *Galium verum,* locally frequent salad burnet *Sanguisorba minor,* locally occasional common birds-foot trefoil *Lotus corniculatus* and occasional red clover, ribwort plantain and common knapweed. Locally rare yellow rattle *Rhinanthus minor* was noted in one area, in addition to rarely occurring greater knapweed *Centaurea scabiosa,* common vetch and meadow buttercup. Grasses included red fescue *Festuca rubra,* false oat grass and cock's-foot.

Other Woodland: Broadleaved

3.19 Four compartments of broadleaved woodland were present on site which included three areas of mixed woodland plantation and a compartment of willow plantation.

3.20 The willow plantation (W1) was located to the northwest boundary of site and comprised a biomass plantation of osier willow *Salix viminalis* which is currently unmanaged. To the southwest, a smaller compartment of woodland (W2) was dominated by hazel *Corylus avellana* coppice plantation. Additional species included ash *Fraxinus excelsior*, oak *Quercus robur*, field maple *Acer campestre*, silver birch *Betula pendula* and alder *Alnus glutinosa*. Ground flora for both W1 and W2 predominantly comprised species associated with the surrounding grassland, with ruderal species such as common nettle and willowherb *Epilobium* sp. dominant along the woodland edge.

3.21 Woodland W3 was situated to the south of Burroughs Road, north of F1 and included elder *Sambucus nigra*, field maple, hawthorn *Crataegus monogyna*, silver birch, hazel and rugosa rose *Rosa rugosa*.

3.22 A very small area of the woodland to the north of Desford Lane (W4) overlaps the redline boundary to the southeast of site. Species included hawthorn, wild cherry *Prunus avium*, dogwood *Cornus sanguinea*, dog rose *Rosa canina*, elder, oak, sycamore *Acer pseudoplatanus*, and blackthorn *Prunus spinosa.* Ground flora included hogweed, cleavers *Galium aparine*, common nettle, hedge woundwort *Stachys sylvatica*, wood avens *Geum urbanum*, and goat's-beard *Tragopogon pratensis.*

Off-site woodland

3.23 Mature woodland bordered the site to the west which supported a number of mature ash specimens in addition to elder, hazel, field maple, holly *Ilex aquifolium,* dogwood and oak.

Ponds

3.24 No on-site waterbodies were present during the initial walkover in October, however during the breeding bird survey in April two areas of standing water were recorded to the southeast of site, included on Figure 2 as P1 and P2.

3.25 P1 was located at the base of an ash tree to the west of H11, approximately 7m by 4m in size, shaded by a fallen branch with no aquatic or marginal vegetation present. P2 comprised a small field pond to the west of H17. Approximately 10m by 7m, P2 was heavily poached with no aquatic or marginal vegetation apparent at the time of the initial survey. Both ponds were dry during the update walkover in June, with marsh cudweed present within P2.

Bramble Scrub

3.26 Scrub was present across the site as shown on Figure 2, largely dominated by bramble *Rubus fruticosus*.

Blackthorn Scrub

3.27 A small area of self-set blackthorn was present between F1 and F2 as shown on the Habitat Plan.

Mixed Scrub

3.28 Mixed scrub was noted to the north of Burroughs Road and included goat willow *Salix caprea*, hawthorn, blackthorn and ash.

Tall Forbs

3.29 Three small compartments of tall ruderal were present across the site, which comprised a patch of nettles in the north-western corner of F6; and area of nettle, creeping thistle *Cirsium arvense*, hogweed and broadleaved dock along the western boundary adjacent to the off-site woodland; and a bund within the recreation area dominated by nettle and broad-leaved dock.

Hedgerows

3.30 A total of twenty-five hedgerows were recorded on site which largely comprised species poor hedgerows dominated by hawthorn and blackthorn. Additional species recorded included hazel, ash, oak, dogwood, elder, cherry, field maple, holly, privet *Ligustrum vulgare*, and dog rose.

3.31 Hedgerow H4 was noted to be species rich, containing hawthorn, hazel, ash, blackthorn, cherry, elder field maple, holly and dogwood.

Broadleaved Trees

3.32 A large number of mature trees were noted within hedgerows and within F7. Species composition was dominated by ash, with oak also noted. The majority were recorded to be large in good condition under the statutory metric, with most supporting features of biodiversity value such as woodpecker holes, knot holes, cracks and fissures.

Line of Trees

3.33 A line of trees was present along the northern boundary of the willow plantation with willow, hawthorn and oak.

Bare Ground

3.34 An area of unvegetated ground was present to the north of the site within F8, which was being utilised as a carpark and site compound for the Phase 1 development.

Developed Land Sealed Surface

3.35 Burroughs road runs the length of the main site parcel, diving the northern and southern habitats.

Dry Ditch

3.36 A dry ditch (D1) was present at the base of H5, which was heavily overshaded by the hedgerow and associated mature trees. No aquatic or marginal vegetation was present.

Other habitats

3.37 A compost heap was located within F2, surrounded by locally abundant fat hen and locally frequent prickly sow thistle *Sonchus asper*, as target noted on the Habitat Plan.

Fauna

Badgers

3.38 No evidence of badgers was noted on site; however, a badger sett was recorded along the northwestern boundary and within off-site woodland to the northwest. Full details are provided within the Confidential Badger Report.

Great Crested Newt

3.39 P1 and P2, supported no aquatic and marginal vegetation and had dried out by June, providing very limited potential breeding habitat for GCN. On site habitats including the hedgerows, woodland and grassland were however, considered suitable to support GCN in their terrestrial Phase; offering potential foraging, rest, shelter and hibernation habitat.

3.40 Tributaries of Rothley Brook, located approximately 15m from site offered limited suitability for breeding due to the flow, however, was considered to provide a potential commuting and dispersal route for great crested newts, with connectivity to off-site ponds to the south and southeast. Pockets of standing water along the watercourse were also noted to the southwest (P3) and north (P4), with the area to the southwest supporting brooklime *Veronica beccabunga* and fool's watercress *Helosciadium nodiflorum,* which may present egg-laying opportunities.

3.41 A review of aerial photography and OS maps indicates the presence of an additional three off-site waterbodies within 250m, with no major barriers to dispersal. These include a small field pond (P5), a newly created SUDs basin associated with Ratby Medical Centre (P6) and a woodland pond (P7); locations can be found on Figure 3. All were located to the south of site within 100m of the boundary, on the opposite side of Desford Lane. While the road forms a partial barrier to dispersal, Tributaries of Rothley Brook provides connectivity between the ponds and suitable terrestrial habitat on site.

Reptiles

3.42 The onsite grassland, woodland edges and the network of hedgerows and off-site stream habitat provide suitable habitat for commuting, basking and sheltering reptiles. The compost heap within F2 also provided an area of refuge and potential breeding habitat. Habitats to the north of Burroughs Road were largely considered sub-optimal for reptiles given their arable nature, however hedgerows and field margins provided connectivity from suitable off-site habitats to the north to on-site habitats with suitability to the south.

Bats

3.43 A number of mature trees were present on site, the majority located within the hedgerows. Of these, twenty-four were assessed to have potential to support roosting bats. A labelled plan and further details can be found within the bat report.

3.44 The hedgerows were considered to be of value to bats for foraging and commuting, providing dispersal corridors around the site and into the wider area. Ancient woodland is present within the wider area to the north and northwest, with willow plantation immediately along the western boundary and a stream to the south.

Birds

3.45 The hedgerows and trees provided suitable foraging and nesting habitat for use by a range of urban edge and farmland bird species such as yellowhammer *Emberiza citrinella* and linnet *Linaria cannabina.* There were also opportunities for ground nesting species such as skylark *Alauda arvensis* and lapwing *Vanellus vanellus* within the arable fields.

Water vole and Otter

3.46 The off-site stream had some potential as a commuting corridor for otter *Lutra lutra* and water vole *Arvicola amphibius*, however it had been poached by cattle along the southern extent, limiting suitability for water vole burrows.

Additional Species

3.47 No other evidence of or potential for protected/notable species was recorded during the survey. Habitats within the site provided some potential for commuting and foraging hedgehog *Erinaceus europaeus* and hare *Lepus europaeus*.

4.0 DISCUSSION AND RECOMMENDEDATIONS

4.1 The degree to which habitats and species receive consideration within the planning system relies on a number of mechanisms, including:

- Inclusion within a specific policy, for example veteran trees, ancient woodland and linear habitats within the National Planning Policy Framework (NPPF);
- A non-statutory site designation (e.g. Local Wildlife Site);
- Habitats considered as Habitats of Principal Importance for the conservation of biodiversity and species considered as Species of Principal Importance for the conservation of biodiversity as listed within Section 41 of the NERC Act (2006);
- Habitats identified as being a Priority Habitat and species identified as being a Priority Species within the local Biodiversity Action Plan.

National Planning Policy Framework (NPPF)

4.2 Following publication of the revised NPPF in December 2023 the premise of 'presumption in favour of sustainable development' embedded within the previous NPPF has been carried forward to the current version. The NPPF considers that to achieve this, the planning system has three

overarching objectives: economic, social and environmental. It considers these to be interdependent with a need for them to be mutually supportive of one another.

Designated Sites

4.3 A single site of national importance, Groby Pool and Woods SSSI is located within 2km of the site; approximately 1.7km to the northeast. Given the distance from the site and the reasons for designation, no direct or indirect impacts are anticipated during construction. A significant increase in visitor pressure is not anticipated given the distance from site, which is over 3km via public footpaths with routes crossing main roads including the M1 and the A50. An existing car park is associated with the SSSI, as such, the site is subject to an existing level of visitor pressure. Walking routes for homeowners and new residents within the green infrastructure of the site will be provided to avoid potential recreational impacts on Groby Pool and Woods SSSI.

4.4 The closest non-statutory designated site is Tributaries of Rothley Brook, located adjacent to site to the west and south of site, with the watercourse itself sited approximately 15m from the boundary. Given the proximity of the watercourse to the site it is recommended that a Construction and Environment Management Plan (CEMP) is provided, secured by planning condition; to include measures to protect the pLWS from particulate deposition, accidental pollution or contamination incidents.

4.5 Martinshaw Wood LWS (c.200m to the north) and Burroughs Wood LWS (c.460m to the west) are designated due to the presence of ancient woodland. Due to the sensitive woodland flora, it is recommended that measures to protect these habitats from dust and particulate deposition are also included within the CEMP. These should ensure construction proposals do not affect the integrity of any of the local wildlife sites. Circular walking routes and areas of open space will be provided within the green infrastructure of the site to reduce recreational pressures on local wildlife sites in the vicinity.

Habitats and Flora of Greater Value

Woodland

4.6 Woodland provides a diverse ecosystem, supporting a range of fauna and flora and playing a vital role in maintaining protected species. All on-site woodland is currently proposed for retention and should be protected from adverse impacts from the development, including protection from damage and soil compaction during works by maintaining fenced Root Protection Areas (RPAs). These should be installed in accordance with BS5837:2012 Trees in relation to design, demolition and construction – Recommendations.

4.7 Best practice site protocols should also be implemented to minimise dust pollution and avoid accidental contamination of the on-site and adjacent woodland. Details should be set out within a Construction and Environmental Management Plan (CEMP). This document should also include measures to protect the woodland from artificial lighting during construction, ensuring dark corridors are maintained for commuting and foraging bats and other nocturnal species. Buffer planting around the adjacent woodland to the southwest (as part of the National Forestry Contribution) could include thorny species such as hawthorn and blackthorn to help restrict public access and prevent damage by trampling or antisocial activities.

Scrub

4.8 This habitat provides biodiversity value for a range of local wildlife, providing shelter and food and should be retained where possible. Areas of scrub which supported a single species could be enhanced with additional planting of native woody species. It is also recommended that scrub planting is incorporated into the green infrastructure proposals to include a diverse array of native species to contribute to the establishment of habitat mosaics. Management should allow a well-developed edge with scattered scrub and areas of longer grassland to develop, providing sheltered edges for wildlife.

Grassland

4.9 The majority of fields comprised modified grassland with few forb species, considered to be of limited biodiversity value. Field F8 did not support enough indicator species to meet the criteria for LWS selection in Leicestershire, while the smaller, more species rich areas to the southeast of site are too small to warrant designation. Species rich grassland is proposed within the green infrastructure scheme for the site which will provide grassland of greater diversity, enhancing biodiversity and more than mitigating for the loss of the small areas of other neutral grassland.

Hedgerows

4.10 All of the on-site hedgerows comprised >80% native woody species and therefore qualify as Habitats of Principal Importance listed under S41 of the NERC Act. Hedgerows were considered to be of ecological value to wildlife, providing suitable habitat for nesting birds and resources/ commuting and foraging corridors for a range of species. These were enhanced by their associated features including ditches (which were dry at the time of survey) and mature trees. Hedgerow H4 was also noted to be species-rich. None of the hedgerows were considered 'important' under the Hedgerow Regulations 1997 due to a lack of associated features. Hedgerows provide a valuable connective network across site and into the wider landscape and where possible should be retained within the development, buffered appropriately in accordance with best practice.

Trees

4.11 Mature trees provide continuity of habitat, providing structural diversity and biodiversity value and as such all should be retained wherever possible. Where retention of any mature trees is not possible for sound development or arboricultural reasons, suitable replacement planting should be undertaken elsewhere within the site to help maintain this resource. Although immature trees have lower value for biodiversity, these should also be retained where feasibly possible. All mature trees and young trees that form standards within retained hedgerows and tree lines should be protected from damage and soil compaction during works by maintaining appropriate root protection areas.

Ponds

4.12 Ponds support a range of wildlife including invertebrates, amphibians, birds, and mammals and are a priority habitat within the Leicester, Leicestershire and Rutland Biodiversity Action Plan. Retention of on-site waterbodies will likely not be feasible due to the proposed earthworks, however, compensatory wetland habitats will be provided through the provision of a pond and SUDs features within the green infrastructure of the site.

Protected Species

Badgers

4.13 No evidence of badgers was noted on-site; however, a sett was noted within the off-site woodland to the northwest and along the boundary of the site. Full details are provided within the Confidential Badger Report. Given the site and its surroundings provide suitable badger habitat, to ensure no badgers which may be present in the area are harmed during construction, it is recommended that precautionary best practice measures during construction are outlined within a CEMP. Badgers are capable of opening up new setts in a short space of time, therefore a pre-commencement check prior to the start of works is recommended to ensure the status of badgers on site has not changed.

Great Crested Newts

4.14 Great crested newts and the places they use for shelter or protection are protected under European law through Annexes 2 and 4 of the EU Habitats and Species Directive, the Bern Convention and the Conservation of Habitats & Species Regulations 2017; and in the UK through Schedule 2 of the Wildlife and Countryside Act 1981 (as amended). In summary it is an offence to deliberately or recklessly take, injure or kill a great crested newt; to intentionally or recklessly damage, destroy or obstruct access to any structure or place used for breeding, shelter or protection by the species; intentionally or recklessly disturb while it is occupying a structure or place which it uses for such purpose; or intentionally take or destroy the eggs of a great crested newt. Great crested newt is also listed as a Species of Principal Importance under the NERC Act.

4.15 A single record for GCN was returned within 1km of the site, located over 900m to the northwest. The two onsite field ponds were considered to provide very limited breeding opportunities due to the lack of aquatic and marginal vegetation, however, due to the suitable terrestrial habitat on site and the connectivity provided by tributaries of Rothley Brook to off-site waterbodies, eDNA survey was recommended. This was undertaken on 23rd May 2024 and included survey of one on-site pond P2 (P1 was dry at the time of survey) and two areas of off-site standing water associated with Rothley brook (P3 and P4 on Figure 3). Permission to access the three off-site ponds to the southeast of site (P5-P7) was requested, however was not given.

4.16 The eDNA analysis returned negative results for the on-site pond and pool of standing water to the north of site (P4). A positive result was returned for P3, located approximately 45m to the south of the redline boundary. Full results and recommended mitigation for this species is provided within the Great Crested Newt Report and Mitigation Strategy.

Reptiles

4.17 All common reptile species are partially protected under the Wildlife and Countryside Act 1981 (as amended). In summary this legislation protects the species from intentional killing, injury or sale, offering for sale, or possessing, transporting or publishing advertisements for the purposes of sale.

4.18 Five records of slow worm *Anguis fragilis* were returned to the northeast of site, with the most recent record (2019) located approximately 370m northeast. Habitats to the north of Burroughs Road providing limited suitability, confined to the arable margins and hedgerows, however these provide connectivity to more suitable habitats to the south. Habitats to the south; particularly the grassland, woodland/woodland edge and off-site brook were considered suitable for reptiles and

species-specific surveys were therefore undertaken, comprising seven separate survey visits during appropriate weather conditions in April, May and June. No reptiles were recorded on any of the survey occasions and this species group are considered to be absent from site. Full details are provided within the Reptile Report.

Bats

4.19 All species of bats and their roosts are listed on the Conservation of Habitats and Species Regulations 2017 (as amended) making it illegal to deliberately disturb any such animal or damage / destroy a breeding site or roosting place of any such animal. Bats are also afforded full legal protection under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Under this legislation it is illegal to recklessly or intentionally kill, injure or take a species of bat or recklessly or intentionally damage or obstruct access to or destroy any place of shelter or protection or disturb any animal whilst they are occupying such a place of shelter or protection. Some bat species are also Species of Principal Importance under the NERC Act.

Roosts

4.20 All mature trees are currently proposed for retention and should be adequately buffered from development to prevent adverse impacts, including from artificial lighting. Should proposals change or where trees cannot be retained and suitably buffered, further survey will be required. In line with new guidance, further survey should include aerial inspection (May-August). Alternatively, where trees cannot be safely climbed, nocturnal surveys are recommended (May-August).

Foraging and commuting

4.21 A number of bat records were returned as part of the desk study within 1km, comprising common and widespread species.

4.22 The grassland, hedges, mature trees and woodland parcels and off-site adjacent woodland provide good foraging habitat to the local bat population. In order to inform the use of the site by bats regarding the species and levels of activity, bat activity surveys are recommended. Surveys should comprise seasonal transect surveys covering spring, summer and autumn (Spring= April-May, Summer= June-August, Autumn =September-October) and monthly static surveys (April to October) to include four units to cover all habitats. Surveys are ongoing, with results to-date provided within the Interim Bat Report.

4.23 The results of the above surveys will be utilised to fully inform and direct an appropriate mitigation strategy to ensure the maintenance of the Favourable Conservation Status (FCS) of bats within the local area.

4.24 Such measures could entail:

- A sensitive lighting regime including the avoidance of direct lighting of existing or proposed areas of potential bat habitat; directional low-level lighting, the avoidance of mercury/halide lamps and lighting only where necessary;
- The implementation of 'hop-overs' adjacent to any hedgerow gaps to allow continued echolocation across the break and reduce the potential for road traffic accidents to bats (and also for birds).

Birds

4.25 All birds whilst breeding, their eggs, dependent young and active nests are protected from damage or destruction under the Wildlife and Countryside Act 1981 (as amended). Furthermore, many species are listed as Species of Principal Importance under the NERC Act.

4.26 A number of notable bird records were returned within 1km of the site, including on-site records of house sparrow, linnet, skylark, starling and red kite. The hedgerows, trees, woodland and woodland edge to the west provide foraging and nesting opportunities for a variety of species, while the large arable and grassland fields also provide suitable ground nesting habitat. Based on the habitats the site supports, in line with Bird Survey Guidelines, breeding and winter bird surveys were undertaken on site, which comprised four breeding bird surveys (one per month in April and May and a dawn and dusk survey in June) and four winter surveys (one per month in November, December, January and February). Results and recommended mitigation are provided within the Bird Report for the site.

4.27 Removal of woody vegetation should occur outside of the nesting bird season (March to August inclusive). This also applies to boundary trees which may overhang into site. If site clearance outside this period is not possible, a nesting bird check by a suitably experienced ecologist should be undertaken of all areas requiring clearance no more than two days before works are scheduled. Where a risk to breeding birds is identified, such as where vegetation is too dense to check thoroughly during nesting season, clearance should be conducted under a watching-brief undertaken by a suitably qualified ecologist.

4.28 If active nests are found, vegetation should be left untouched and suitably buffered from works until all birds have fledged. Specific advice should be sought prior to undertaking the clearance.

Otter and Water vole

4.29 Otters are protected under Section 41 of the Conservation of Habitats & Species Regulations 2017, which transposes into UK law the EC Habitats Directive (92/43/EEC). This species is also protected under Schedule 5 of the Wildlife and Countryside Act 1981. Otters are protected under these laws from killing, harm or disturbance as well as protecting their shelter, resting and breeding places.

4.30 Water voles are fully protected under section 9 of the Wildlife and Countryside Act 1981 (as amended). This makes it an offence to: intentionally kill, injure or take water voles; possess or control live or dead water voles or derivatives; damage, destroy and obstruct access to any structure or place used by water voles for shelter or protection or disturb water voles whilst they are using such a place.

4.31 The off-site stream to the west and south of site was considered to offer limited suitability for otter and water vole, however, provided some suitability as a movement corridor. The pLWS citation for Tributaries of Rothley Brook also references water vole potential. As the boundary is located approximately 15m from the watercourse, no direct impacts on otter or water vole are anticipated as a result of proposals.

Additional Species

Hedgehog

4.32 Hedgehogs are a Species of Principal Importance on the NERC Act 2006. Multiple records for this species were returned within 1km of the site and the site offers suitable habitat for commuting and foraging. As such, to avoid potential harm to individual hedgehogs during site clearance/construction the following is recommended:

- Any suitable habitat to be removed (i.e., dense scrub, hedgerows) should be hand searched by a qualified ecologist prior to removal.
- Open excavations on site should be covered over at night or a suitable means of escape must be provided (e.g. battered sides or ladder boards) to prevent the accidental trapping of hedgehogs/other mammals.

5.0 BIODIVERSITY NET GAIN

5.1 Biodiversity net gain (BNG) is an approach to development that leaves biodiversity in a better state than before. Where a development has an impact on biodiversity it encourages developers to provide an increase in appropriate natural habitat and ecological features over and above that being affected in such a way it is hoped that the current loss of biodiversity through development will be halted and ecological networks can be restored.

5.2 The revised NPPF (2023) seeks to ensure that the planning system contributes to and enhances the natural and local environment, protects and enhances biodiversity and geodiversity by:

"180. d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

185. b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity."

5.3 The Environment Act states that "the relevant percentage is 10%" as a biodiversity net gain target for development (Schedule 7A, Part 1, 2(3)). Royal Assent of the bill was granted on 9th November 2021, with a two-year transition period from this date to enable development projects to account for these new requirements. Following the transitional period, secondary legislation has now been implemented requiring that all new development achieves a 10% net gain in biodiversity. Local policy requiring net gain has already been adopted by some Local Planning Authorities.

5.4 The BNG assessment process is a prescriptive process attempting to minimise the, sometimes, ad hoc nature of assessing impacts on biodiversity. By definition, the process seeks a 'net' gain, as opposed to delivering compensation for each individual habitat type or species. Nevertheless, the process does seek to ensure that effective controls are in place to ensure adequate compensation for the most threatened or important habitats.

5.5 In summary the process is as follows:

1. The first stage is to determine the existing, pre-development, biodiversity value in 'units'. This is a combination of the distinctiveness of habitats and their condition.

2. Next the development proposals are assessed to quantify the effect, or loss of biodiversity units. Most development will show a deficit at this stage.

3. Where a deficit is shown, additional biodiversity units can be created on-site, through the conversion of low biodiversity habitats i.e. those with low distinctiveness in poor condition, such as an arable field intensively managed to maximise yield to higher distinctiveness habitats in moderate or good condition, such and species rich grassland, scrub, woodland or wetland habitats, or enhancing the condition of existing habitats. Where habitats are difficult to create or take time to develop, the metric incorporates risk and temporal multipliers, whereby additional habitat must be created to compensate for the potential risk or delay in delivering the proposed habitat.

5.6 In the event that a deficit still remains offsite compensation may be required.

5.7 This approach necessitates the completion of an assessment to assess the extent of biodiversity loss or gain through the use of The Statutory Biodiversity Metric.

5.8 A Biodiversity Net Gain assessment has been undertaken, which demonstrates that the mandatory net gain requirement can be met onsite. Full results are provided in the Biodiversity Net Gain Report.

6.0 ECOLOGICAL ENHANCEMENT

6.1 The retention of boundary features, which support the features of greater ecological value on site, in combination with a scheme of native planting, will ensure that proposals help to maintain and enhance connectivity across the site. Planting, including National Forest Planting, should reinforce the retained hedgerows, scrub and off-site woodland and include native species of local provenance. In addition to woody species, preference should be given to species bearing nectar, berries, fruit and nuts, as these enhance the foraging opportunities for local wild fauna including birds and invertebrates. These measures will create a buffer and wildlife corridor around the site, preserving and enhancing important linkages to areas of adjacent habitat and ensuring site access is maintained for local faunal populations (i.e., amphibians, badgers and bats). All retained and new habitats should be managed sensitively to maintain their long-term viability and maximise their biodiversity value.

6.2 Brash and log piles should also be created within suitable open space to provide any reptiles present in the local area with summer and hibernation nesting opportunities.

6.3 There is scope to enhance the willow plantation (W1) by increasing the species diversity and creating an understorey or shrub layer. Management practices such as felling and ring barking could also be implemented to increase deadwood and standing deadwood, of value to birds and invertebrates.

6.4 The inclusion of bird boxes for common garden species should be incorporated within the development. Boxes should be installed in accordance with standard best practice, with boxes positioned 1-3m above ground, facing between north and east.

6.5 It is recommended that bat boxes are included in the development, sited on suitable mature trees, or incorporated into the fabric of new buildings. The inclusion of these boxes will increase the availability of suitable roosting sites for bats in the locality.

6.6 Hedgehog Highways should be provided through residential gardens. Where fences are installed, leaving gaps of 13cm x 13cm at the base of panels will help to retain connectivity for hedgehogs and other species. Signs above the holes and leaflets within the homeowner packs can also be provided to ensure these are maintained.

6.7 Areas of public greenspace should include a wildflower lawn mix (i.e., Emorsgate EL1- Flowering Lawn Mix) which will tolerate regular short mowing. Less formal areas should incorporate less intensively managed grasslands including species rich wildflower meadows and/or tussocky grasslands (i.e., Naturescape N5 Long Season Meadow Mixture). These not only increase habitat and species diversity, but attract beneficial pollinators and invertebrates, which in turn attract birds, mammals, reptiles and amphibians, particularly when linked to other habitats.

6.8 Where Sustainable Urban Drainage (SUDs) features are modelled to be largely dry, these can be seeded with a marshy grassland wildflower mix, which will tolerate short periods of inundation. Alternatively, features can be over-deepened and planted up with native aquatic and marginal plants to create wetland habitats, of benefit to an array of species.

Key

- **Site Boundary**
- **1km Buffer**
- **Local Wilidlife Site (LWS)**
- **Potential Local Wildlife Site (pLWS)**
- **Candiaite Local Wildlife Site (cLWS)**
- **Ancient semi-natural Woodland**

1- Ratby, tributaries of Rothley Brook
2- Land Rear of 4-28 Markfield Road Ratby, Mature Poplar
3- Rothley Brook, Ratby
4- Ratby, Field E of Martinshaw Wood, adj to M1
5- Ratby, Church Ponds Close open space
6- Ratby Borroughs meadows
7-Ratby Burroughs (S)
8-Chnage Spinney
9- Ratby, grassland and woodland edge west of Burroughs Wood (S)
10- Burroughs Wood
11-Hedgerow off Crow Lane
12- Choyces Rough
13- Martinshaw Wood
14- Burroughs Verge/ Bank
15- Rothley Brook

client
Lagan Homes

project
Land West of Ratby, Leicestershire

drawing title
Designated Sites Plan

scale @ A3
1:11000

drawn
CEC/ LTW

issue date
12/7/2024

drawing / figure number
Figure 1a

rev
-

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masterplanning ■ environmental assessment ■ landscape design ■ urban design ■ ecology ■ architecture ■ arboriculture

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Key

- Site Boundary
- 1km Buffer
- Himalayan Balsam
- Japanese Knotweed
- Hare
- Barn Owl
- Bat
- Brown Long-eared Bat
- Bullfinch
- Common Frog
- Common Pipistrelle
- Common Toad
- Dunnock
- Fieldfare
- Great Crested Newt
- Greylag Goose
- Hedgehog
- Hobby
- House Martin
- House Sparrow
- Linnet
- Long-eared Bat species
- Myotis Bat species
- Noctule Bat
- Pipistrelle Bat species
- Red Kite
- Red-throated Diver
- Redwing
- Skylark
- Slow-worm
- Smooth Newt
- Song Thrush
- Soprano Pipistrelle
- Spotted Flycatcher
- Starling
- Swallow
- Swift
- Willow Tit
- Cuckoo
- Lapwing
- Yellowhammer
- Grasshopper Warbler
- Herring Gull
- Lesser Redpoll
- Marsh Tit

0 250 500 m

client
Lagan Homes

project
Land West of Ratby, Leicestershire

drawing title
Protected Species Plan

scale @ A3
1:11000

drawn
CEC/LTW

issue date
12/7/2024

drawing / figure number
Figure 1b

rev
-

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Key

- Red Line Boundary
- Artificial unvegetated, unsealed surface
- Bramble scrub
- Developed land; sealed surface
- Mixed scrub
- Modified grassland
- Other neutral grassland
- Other woodland; broadleaved
- Ponds (non-priority habitat)
- Temporary grass and clover leys
- Willow scrub
- Tall forbs
- Bare ground
- Line of trees
- Native hedgerow
- Native hedgerow - associated with bank or ditch
- Native hedgerow with trees
- Broadleaved tree
- Tree with bat potential
- Target note (Compost Heap)

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masterplanning ■ environmental assessment ■ landscape design ■ urban design ■ ecology ■ architecture ■ arboriculture

0 100 200 m

client
Lagan Homes

project
Land West of Ratby, Leicestershire

drawing title
Habitat Plan

scale @ A3
1:3,400

drawn
LTW/JAW

issue date
31/7/2024

drawing / figure number
Figure 2

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Key

- Site Boundary
- Pond (with reference)

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client
Lagan Homes

project
Land West of Ratby, Leicestershire

drawing title
Waterbody Location Plan

scale
1:4,000

drawn
LTW/JAW

issue date
25/7/2024

drawing / figure number
Figure 3

rev
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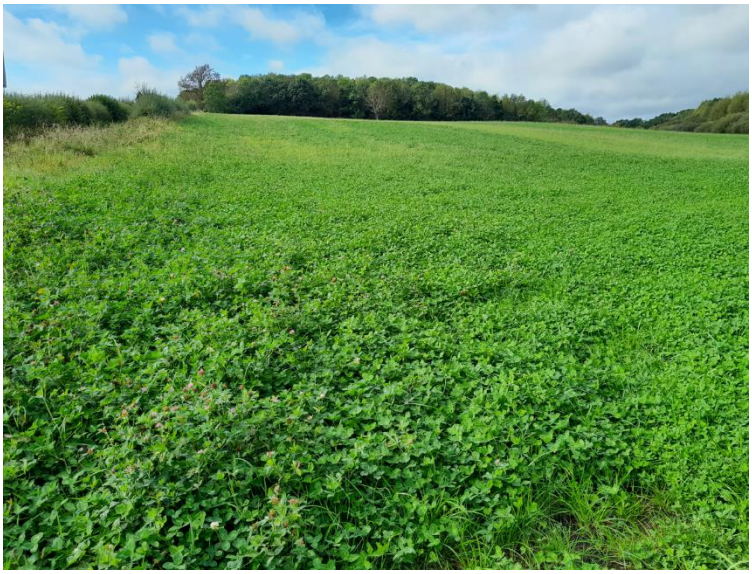
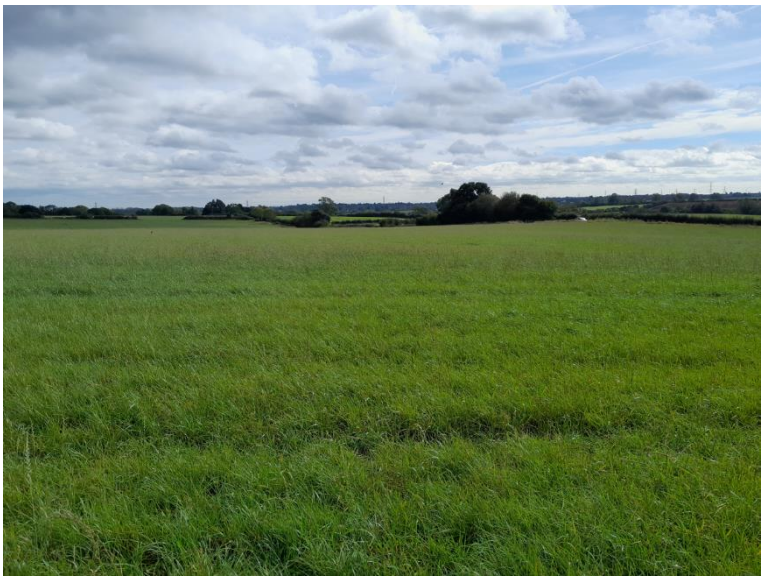
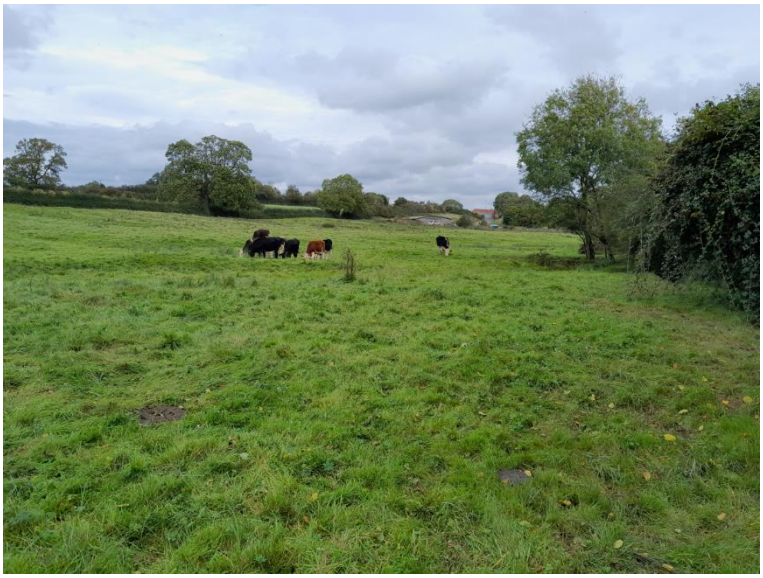
APPENDIX A: SITE PHOTOGRAPHS

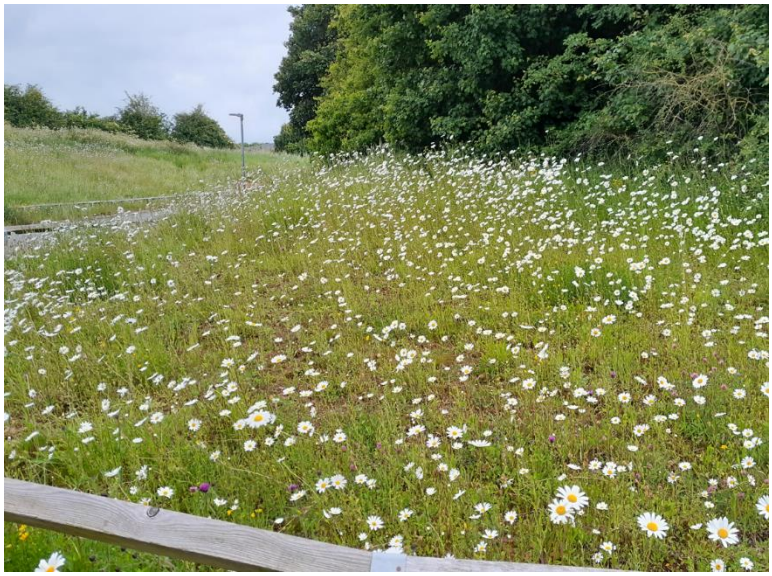




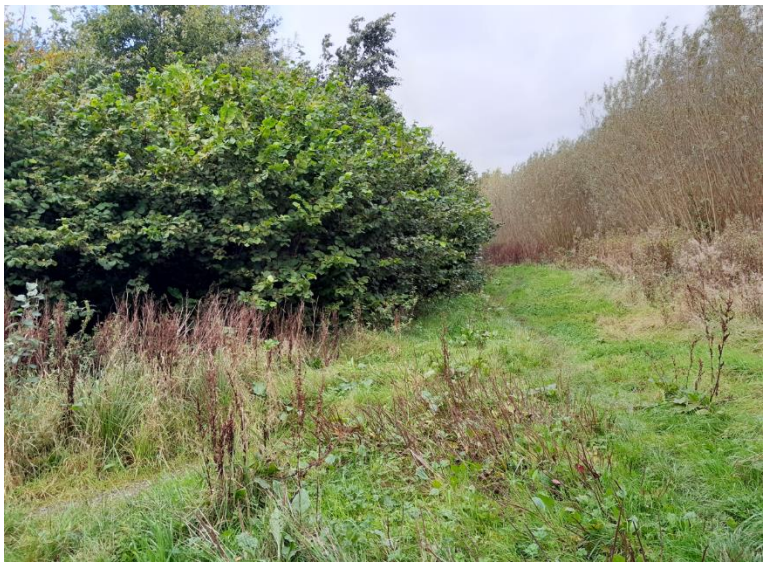
Photograph 1 and 2: Clover and ryegrass ley to north of Burroughs Rd



Photograph 3: Cattle grazed modified grassland



Photograph 4: Other neutral grassland north of Desford Ln



Photograph 5: Broadleaved woodland and willow plantation

Photograph 6: Example of Mature trees with bat potential