
I N T E R

O F F I C E

MEMO



To: Andrew Willerton, Development Control
From: Andrew Taylor, Environment Team
Your Ref: PA/SCR/2019/1
Date: 29 March 2019

Subject: EIA screening request for a proposed technical crematorium
(incineration facility)
land off Bessemer Way, Scunthorpe

Summary

- EIA is not required from an ecological perspective.
- A preliminary ecological appraisal should be carried out and submitted before the application is determined. The results will reveal the need for more detailed species surveys.
- If permission is ultimately granted, there will be a need to secure biodiversity enhancements in accordance with the National Planning Policy Framework.

Thank you for consulting the Environment Team on the above screening request. I shall confine my response to largely to ecological matters.

Protected and Priority Species

I have considered this application in accordance with Natural England's recently published standing advice for protected species- <http://www.naturalengland.org.uk/ourwork/planningtransportlocalgov/spatialplanning/standingadvice/default.aspx>.

The application site supports rough grassland and hedgerows, with potential for lowland dry acid grassland priority habitat. With these habitats, the standing advice guides us to consider the following protected species or groups:

Habitat, building or land	Species to look for
Meadows, grassland, parkland and pasture on the land or linked to the site (by similar habitat)	Bats, badgers, breeding birds, great crested newts, invertebrates, reptiles and protected plants
Rough grassland and previously developed land (brownfield sites), on or next to the site	Breeding bird, reptiles, invertebrate and protected plants
Woodland, scrub and hedgerows on, or next to the site	Bats, breeding birds, badgers, dormice, invertebrates, great crested newts, smooth snakes (see reptiles) and protected plants

Dormice and smooth snakes do not occur in North Lincolnshire and do not need to be considered further.

A preliminary ecological appraisal or extended Phase 1 survey with target notes should be carried out and submitted before any application is submitted. The results of the Phase 1 survey will reveal the need for more detailed protected or priority species survey. Phase 1 survey should ideally be carried out between May and September. Survey standards for protected species surveys are set out in Appendix 2. There will also be a requirement for a desktop data search from the Lincolnshire Environmental Records Centre.

Evaluation

The proposal has the potential for some impacts in terms of ecology and landscape and visual impacts. However, these are not likely to be significant to the extent that EIA would be required. Even if EIA is not required, then detailed and robust survey information will be required along with significant proposals for impact avoidance, mitigation, compensation and biodiversity enhancement.

Scunthorpe supports a notable concentration of areas of acid grassland and open mosaic habitats. However, the habitat network is threatened over much of its extent by loss and fragmentation due to development. Ongoing development around the Steelworks, Glebe Road Pit and Sawcliffe and Normanby Road Industrial Estates is likely to continue this trend. The current application therefore needs to be considered alongside that trend.

Biodiversity Enhancement

The National Planning Policy Framework states that:

“The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils;
- recognising the wider benefits of ecosystem services;
- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures...”

and

“opportunities to incorporate biodiversity in and around developments should be encouraged;”

With this application, biodiversity enhancement should be secured through:

- Sensitive site clearance and construction methods.
- Enhanced management of any acid grassland or open mosaic habitats.
- Use of native trees and shrubs of high landscape value.
- Creation of wetland habitat as part of sustainable urban drainage.
- Use of native trees, shrubs and hedgerows of local origin in landscaping.
- Installation of species-specific features such as bat boxes, nest boxes etc.
- Providing for species and habitats identified in ecological surveys.
- Providing habitat for wall, small heath and grayling butterflies and other invertebrates of open mosaic habitats.
- Measures to avoid light, noise and water pollution, flytipping, the spread of invasive species and other factors that would harm habitats and species.

If you have any questions, please do not hesitate to contact me.

Andrew Taylor
Project Officer (Ecologist)

Appendix 1- Ecology and Legal Protection

Bats

All species of bat are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2010 making all species of bat European Protected Species. Details of the legislation can be found at:

Wildlife and Countryside Act

<http://www.legislation.gov.uk/ukpga/1981/69/contents>

The Countryside and Rights of Way Act:

http://www.opsi.gov.uk/acts/acts2000/ukpga_20000037_en_7#pt3-pb8-l1g81

The Conservation of Habitats and Species Regulations 2010

http://www.opsi.gov.uk/si/si2010/uksi_20100490_en_1

Nesting birds

It is an offence under Section 1 of the Wildlife and Countryside Act of 1981(WCA 1981) to intentionally take, damage or destroy the nest of any wild bird while it is use or being built. The WCA 1981 also provides that all wild birds and their eggs are protected and cannot be killed or taken except under licence.

Great Crested Newts

The great crested newt is fully protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2010 making it an European Protected Species. Details of the legislation are the same as those for bats (see above).

Reptiles

The adder, common lizard, grass snake and slow worm are protected against intentional killing or injuring under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended).

Badgers

Planning Circular 06/2005 states that, "The likelihood of disturbing a badger sett, or adversely affecting badgers' foraging territory, or links between them, or significantly increasing the likelihood of road or rail casualties amongst badger populations, are capable of being material considerations in planning decisions."

Appendix 2- Survey Standards

Habitat survey	Extended Phase 1 survey with target notes should be carried out and submitted before the application is determined. The results of the Phase1 survey may reveal the need for more detailed protected or priority species survey. Phase 1 survey should ideally be carried out between May and September.
Bat roost survey spec. (buildings and trees)	The bat survey should be carried out by a licensed and experienced bat worker and should include a detailed search for bat field signs. It will also be necessary to carry out at least one dusk/dawn emergence count, using standard methods. Such a survey would need to take place between May and September. Depending on the findings of the first survey, it may be necessary to carry out one or more further dusk/dawn counts, in accordance with the standing advice. Local meteorological data should be provided for the survey date(s) along with the survey results. The approach used and survey effort applied must be clearly justified in the survey report to be submitted.
Bats- wide area surveys	Surveys should be carried out by a licensed and experienced bat worker at the appropriate time of year. This should include a search for roosts in trees and buildings and desktop data search for existing records within the vicinity. There should be assessment of bat potential in mature trees. Bat foraging areas and flight lines should be assessed using bat detectors in suitable conditions on a number of dusk/dawn visits in accordance with Mitchell-Jones, A.J. (2004) Bat Mitigation Guidelines.
Bats- use of autoID software	Where automated surveys have been carried out, or automated software has been used to identify bat calls, then survey reports must set out the methods used and any limitations to the confidence of identification. Consultants must keep a copy of original sound files, to be made available for checking on request. Records of uncommon or unexpected species must be supported by sonogram evidence.
Breeding birds	Surveys should be carried out by a competent person at the appropriate time of year in accordance with the Common Birds Census Methods. In terms of territory mapping, attention should focus on Schedule 1, BAP and red/amber listed species of conservation concern. A number of evening/crepuscular visits will be necessary to assess to use of the area by barn owls and other species for breeding and foraging.
Great crested newts	Great crested newts are European Protected Species (EPS), given very strong protection in law (see Annex). For great crested newts, surveys should be carried out by a licensed and experienced surveyor using standard methods at the appropriate time of year (April-June), in accordance with English Nature (2001) Great Crested Newt Mitigation Guidelines. Alternatively, eDNA surveys carried out in accordance with Natural England guidance shall be accepted.

	The results should be made available before the application can be determined . The following link gives the standing advice relating to great crested newts: https://www.gov.uk/guidance/great-crested-newts-surveys-and-mitigation-for-development-projects
Vascular plants	Any notable records of species or communities should be highlighted in the Phase 1 survey. More detailed survey should be carried out at the appropriate time of year where interest is identified in the Phase 1 survey. This should use either Lincolnshire Local Wildlife Site methods or National Vegetation Classification methods to be agreed with the Environment Team.
Invertebrates	Phase 1 survey may identify the need to survey for various invertebrate taxa. Such surveys should be carried out by a competent person at the appropriate time of year. Taxa surveyed, methods used and the area of search should be described and justified in the submitted reports.
Badger Survey Requirements	Surveys should be carried out by a competent person at the appropriate time of year. They should include searches for field signs such as setts (main setts, annexe setts, subsidiary setts and outliers), foraging trails, snuffle holes, latrines, guard hairs, footprints etc. Where badger field signs are discovered, it may be necessary for bait marking studies to be carried out, to reveal the foraging behaviour of each social group. This will enable any potential impacts on badgers to be assessed in accordance with paras 123-124 of Circular 06/05.
Reptiles	Surveys should be carried out by a competent person at the appropriate time of year in accordance with Gent, T. and Gibson, S. (2003) Herpetofauna Workers' Manual (JNCC). The area of search should be described and justified in the submitted report.
Other Species	Any protected or priority species or habitats not listed above should be addressed in the ES if they are revealed through surveys or if there is a reasonable likelihood of them being affected by the proposal.