

MEMO

**North
Lincolnshire
Council**

To: Jennifer Ashworth, Development Management
From: Andrew Taylor, Place Planning & Housing
Your Ref: PA/2022/1455
Date: 19 August 2022

Subject: Application to remove whole of condition 2 on PA/2021/1596
Park Lane Farm, Park Lane, Westwoodside, DN9 2EG

Summary

- I have no objection to the removal of the condition.

Thank you for consulting Place Planning & Housing on the above application. To remove a condition. I have copied my comments on PA/2021/1596 below. At the time, I supported the application and made no request for conditions. On that basis, I have no objection to the removal of the condition.

Comments on PA/2021/1596:

Protected and Priority Species

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

The application site supported improved grassland prior to the creation of ponds. There appears to have been little potential for harm to protected or priority species. Any potential impacts on protected or priority species are likely to have been temporary and controllable with sensitive working methods.

Biodiversity Enhancement

The National Planning Policy Framework states that:

“174. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils [...]

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

[...]

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;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;

[...]

and

“180 d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate...”

This proposal complies with paragraph 180 d) and should be supported.

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

Andrew Taylor
Natural Environment Policy Specialist

Annex- 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 2017 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 2017:

[The Conservation of Habitats and Species Regulations 2017](http://www.legislation.gov.uk/uksi/2010/10490/1)

<http://www.legislation.gov.uk/uksi/2010/10490/1>

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 in 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 2017 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).