

MEMO

**North
Lincolnshire
Council**

To: Tanya Coggon, Development Management
From: Andrew Taylor, Place Planning & Housing
Your Ref: PA/2021/1755
Date: 19 October 2022

Subject: Planning permission to erect 14 dwellings and improvements to vehicular access- UPDATE
Land off Main Street, Sturton, DN20 9DL

Summary

- This is an update in relation to recommended conditions only.
- A section 106 agreement will be required for off-site delivery of a measurable net gain in biodiversity, as discussed previously.

Thank you for consulting Place Planning & Housing on the above application.

Recommended conditions

Please use standard conditions to secure the implementation of the most recently submitted landscaping scheme

Reason: [to include policies LC7, LC12, CS5, CS16, CS17]

“Within 3 months of the commencement of development, the applicant or their successor in title shall submit a biodiversity management plan to the local planning authority for approval in writing.

The plan shall include:

- a) Details of at least 5 bat roosting features to be installed;
- b) Details of nesting sites to be installed to support swifts, house martins, starlings and house sparrows;
- c) Restrictions on lighting to avoid impacts on bat roosts, bat foraging areas bird nesting sites and sensitive habitats;
- d) Provision for hedgehogs to pass through any fencing installed between gardens and between areas of grassland;

e) Prescriptions for the planting and aftercare of heritage fruit tree varieties, trees, shrubs and flowering plants of high biodiversity value;

f) Details to confirm that the measures proposed will provide at least 1% biodiversity net gain in accordance with the biodiversity Metric 2.0;

g) Proposed timings for the above works in relation to the completion of the buildings.

Reason: To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the Core Strategy.”

“The Biodiversity Management Plan shall be carried out in accordance with the approved details and timings, and the approved features shall be retained thereafter, unless otherwise approved in writing by the local planning authority. Prior to the occupation of the 10th dwelling, the applicant or their successor in title shall submit a report to the local planning authority, providing evidence of compliance with the Biodiversity Management Plan.

Reason: To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the Core Strategy.”

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/2010/20100490/en/1)

[http://www.legislation.gov.uk/uksi/2010/20100490_en_1](http://www.legislation.gov.uk/uksi/2010/20100490/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 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.