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Project name:
Humber Zero - VPI

Project ref:
60668866

From:
Rebecca Condillac (Landscape) and Jo Atkinson (HRA), AECOM

Date:
12 July 2023

To:
Rebecca Leggott, Development Management
Lead – North Lincolnshire Council

CC:
Andrew Taylor, Place Planning & Housing –
Natural Environment, North Lincolnshire Council

Memo

Subject: Response to Andrew Taylor, of Place Planning & Housing – Natural Environment comments on VPI planning application PA/2023/421

Dear Andrew,

We note the comments from Natural Environment dated 2nd May 2023 and respond to each in turn below.

Natural Environment Comment	Applicant's Response
<p><i>"We routinely advise that, "Landscape and visual impacts need to be considered in terms of the adopted Landscape Assessment and Guidelines and the Countryside Design Summary. I also recommend the use of the Guidelines for Landscape and Visual Impact Assessment 3rd Edition (GLVIA3, 2013), produced by the Landscape Institute and the Institute of Environmental Management and Assessment."... The submitted LVIA is in accordance with this advice."</i></p> <p><i>"Options for on-site landscaping and mitigation are limited due to the large scale and land-take of the development."</i></p> <p><i>"If possible, offsite, landscape enhancements should be provided within the LC20 policy area, potentially in conjunction with proposals for off-site biodiversity enhancements to deliver a measurable net gain in biodiversity value."</i></p>	<p>Acknowledging the limited options for landscaping on site, we have considered the potential for off-site planting, but as VPI do not have control of any other land within the LC20 – South Humber Bank Landscape Initiative area we were unable to consider off-site planting.</p> <p>VPI is committed to providing biodiversity net gain for the Proposed VPI Development, which will need to be provided off-site, and this may also provide landscape enhancements in the wider area. Biodiversity enhancement will be secured by a Section 106 agreement.</p>
<p><i>"The application site is situated approximately 1.5 km to the west of the Humber Estuary Special Protection Area (SPA), Special Area of Conservation (SAC), Site of Special Scientific Interest (SSSI) and Ramsar site. Proposals could result in an increase in noise, visual and light disturbance of functionally linked land at and near Rosper Road Pools Local Wildlife Site, that is used by waterbirds associated with the Humber Estuary SPA and Ramsar site."</i></p>	<p>We note Natural England have also now provided a consultation response on the planning application, raising similar points.</p> <p>We joined the meeting with Natural England that was arranged by Darren Clarke and Andrew Taylor on 26th June 2023 to discuss the noise and disturbance assessment methods used for Habitats Regulations Assessments (HRAs) across the Humber area. AECOM is now preparing a response to Natural England on this and other matters raised in Natural</p>

Natural Environment Comment	Applicant's Response
<p><i>There is also the potential for contaminated run-off to enter designated habitat or functionally linked land.</i></p> <p><i>"Natural England does not generally accept conclusions based on the noise and disturbance studies quoted in the report, so more work is likely to be needed before we, as Competent Authority could produce an acceptable HRA."</i></p>	<p>England's consultation response, which will also be shared with North Lincolnshire Council in due course.</p>
<p><i>"I have read the submitted Ecological Baseline Report. The survey methods used and the survey effort deployed are appropriate for the site in question."</i></p> <p><i>"The proposed development will result in the almost total loss of habitat for protected and priority species. Some sensitive working measures are proposed for these species in section 13.5 of the Ecology Chapter of the ES and will need to be secured via a planning condition for a species protection plan or a Construction Environmental Management Plan. Whilst the proposals for biodiversity net gain may be expected to generate a net increase in habitat value in the long term, they will not necessarily provide for the species affected by the development. However, where "like-for-like" habitat is created, this will increase the chances for supporting the affected species."</i></p>	<p>We agree that a planning condition would be appropriate to secure the sensitive working measures for protected and priority species as set out in the Ecology chapter of the ES.</p>
<p><i>"The submitted Biodiversity Net Gain (BNG) Report reveals a net loss of habitat units on-site of >99% plus a net loss of river units of nearly 39%, due to ditch diversion. This includes the loss around 4 hectares of priority habitat."</i></p> <p><i>"Given the need to provide habitat compensation and enhancement off-site, section 1.6 of the BNG report sets out how this could happen, though no firm proposals are available at the moment. Any section 106 agreement used to secure BNG will need to be carefully drafted to secure the delivery, monitoring and maintenance of habitat whilst leaving the flexibility to find and secure a suitable site or multiple sites.</i></p> <p><i>It is estimated that 61.06 habitat units and 4.78 rivers units will be required offsite (not taking into account the baseline value of the offsetting site). The offsite habitat creation must include an adequate area of OMH, of appropriate condition, and should ideally include neutral grassland and scrub or woodland."</i></p> <p><i>"I have seen a pdf of the applicant's biodiversity metric, but we really need to see the spreadsheet."</i></p>	<p>We acknowledge that biodiversity enhancement will need to be secured, for example using a Section 106 agreement. We will engage with North Lincolnshire Council to prepare a Section 106 agreement in due course.</p> <p>The Excel version of the biodiversity metric spreadsheet was emailed to Andrew Taylor by Kirsty Cobb on 22nd May 2023. Please feel free to contact Kirsty at kirsty.cobb@arup.com if you have any further comments or queries on the metric.</p>
<p><i>"I can advise on planning conditions and a section 106 agreement once we have seen the additional information for the Habitats Regulations Assessment."</i></p>	<p>As noted above we will engage with North Lincolnshire Council regarding the Section 106 agreement for BNG, and are preparing a response to Natural England's comments on the HRA.</p>