

MEMO

**North
Lincolnshire
Council**

To: Matthew Gillyon, Development Management
From: Alicia Morley, Place Planning & Housing
Your Ref: PA/2024/215
Date: 06 August 2024

Subject: Full planning permission for the repair, refurbishment and residential conversion of a listed barn to a C3 use, together with the erection of 3 detached houses and garages as enabling works
Tithe Barn and land, Station Road, Owston Ferry, DN9 1AW

Summary

- While a Preliminary Ecological Appraisal (PEA) has been conducted for the listed barn, a PEA is also required for the wider site where the three building plots are proposed.
- In terms of the listed barn, a dusk/dawn emergence survey is required.
- A Precautionary Working Method Statement (PWMS) should be prepared and submitted for approval before determination of the application.

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

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 applicant has submitted a Preliminary Ecological Appraisal (PEA) for the listed barn [Appendix 1 – Preliminary Ecological Appraisal], however there is no assessment for the wider site where the three housing and garage plots are proposed. The application site supports scrub and rough grassland, with grassland, scrub, trees and previously developed land next to the site. 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, reptiles and protected plants

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

Therefore, a PEA is required to assess the area that comprises of the three housing and garage plots and any boundary habitats.

In terms of the listed barn, we normally require at least one, and up to three, dusk/dawn emergence counts to draw firm conclusions about the presence or absence of bat roosts. The submitted preliminary ecological appraisal report for the listed barn indicates low potential suitability for the site, however a further survey visit is required with a dusk/dawn emergence survey conducted.

Sensitive working methods will be required to take account of the potential for bats, badgers, hedgehogs, nesting birds and reptiles, therefore a Precautionary Working Method Statement (PWMS) should be prepared and submitted for approval before determination of the application.

Biodiversity Enhancement

The National Planning Policy Framework states that:

“180. 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

“186 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...”

Given that the application site lies close to large gardens and the Owston Ferry Castle Local Nature Reserve, this is an ideal location for biodiversity enhancements.

With this proposal, biodiversity enhancement should be secured by:

- Installing bat bricks or boxes.
- Installing sparrow or starling artificial nesting boxes.
- Installing swift bricks.
- Prescriptions for the retention, planting, aftercare and ongoing management of native trees, shrubs, hedgerows and wildflowers of high biodiversity value.
- Restrictions on lighting to avoid impacts on bat roosts, bat foraging areas bird nesting sites and sensitive habitats.
- Installing hedgehog highways to allow hedgehogs to pass through any boundary fencing installed.
- Establishing a management plan and ensuring the delivery.

Recommended Conditions

I can advise on conditions (if appropriate) once I have seen the results of the requested ecological surveys.

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

Alicia Morley
Ecologist

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-l1q81

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.