

MEMO

**North
Lincolnshire
Council**

To: Andrew Law, Development Management
From: Alicia Morley, Place Policy & Strategy
Your Ref: PA/SCR/2025/4
Date: 19 March 2025

Subject: Request for a second EIA Screening Opinion for proposed new wells and 600M underground gas pipeline Wressle Wellsite, Lodge Farm, Appleby

Summary

- EIA may be required from an ecological perspective, given potential significant impacts.
- The pipeline route to connect to the existing Cadent IP pipeline is the sole route indicated on this application, and runs through several agricultural fields and Ella Beck to reach the existing pipeline along the B1208.
- A preliminary ecological appraisal should be carried out and submitted before the application is determined. The results will reveal whether more detailed species surveys are required.
- There will be a need to secure a measurable net gain in biodiversity in accordance with Policy CS17, the National Planning Policy Framework and the Statutory Biodiversity Metric.
- We would **OBJECT** to the scheme as currently proposed, due to the near-total loss of on-site biodiversity value.

Thank you for consulting Place Policy & Strategy on the above EIA screening request.

EIA Screening

The applicant has identified that the proposal is Schedule 2 development in relation to the Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 2017.

The application site is sited within a landscape of agricultural land and woodlands, with drains, hedgerows and scattered hedgerow trees that may support protected and priority species and habitats. The pipeline route would cross several agricultural fields, to the south of the wooded area to the west of the wellsite, and cross Ella Beck, which would require safeguarding from hydrocarbon pollution. Additionally, there are potential likely significant effects

on designated nature sites such as Broughton Far Wood SSSI and irreplaceable habitats like ancient woodland, therefore an EIA may be required from an ecological perspective.

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 supports agricultural land, with hedgerows and a stream (Ella Beck) the pipeline will cross, as well as an existing access track. Hedgerows, drains, agricultural land and woodland (including ancient woodland) are adjacent 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
Lakes, rivers and streams (on the land or nearby)	Breeding birds, great crested newts, fish, otters, water voles and white-clawed crayfish
Woodland, scrub and hedgerows on, or next to the site	Bats, breeding birds, badgers, dormice, invertebrates, great crested newts, reptiles and protected plants

Dormice, smooth snake and white clawed crayfish do not occur in North Lincolnshire and do not need to be considered further.

Planning Circular 06/2005 states that “It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted.”

Natural England has identified the proposal site as partially within an "amber risk zone" for great crested newts - a European Protected Species. The potential for harm to great crested newts (and thus an offence) therefore needs to be taken into account on this site. Standard methods great crested newt surveys and/or District Level Licensing payments may be required.

A preliminary ecological appraisal or UKHabs survey with target notes should be carried out and submitted before the application is determined. The results of the UKHabs survey will reveal the need for more detailed protected or priority species survey. Habitat survey should ideally be carried out between May and September. Survey standards for protected species surveys are set out in Appendix 2. In addition, a Lincolnshire Environmental Records Centre search will be required.

Existing Biodiversity Value

The main application site is of low biodiversity value in itself, but lies within a network of woodland habitat blocks that would benefit from enlargement and increased connectivity (Lawton principles). Very little biodiversity enhancement or mitigation has been carried out in relation to the wellsite developments to date.

The baseline value of Ella Beck is not known. However, it is important that all measures are taken to avoid impacts on the stream, including the spread of invasive species, silt run-off and hydrocarbon pollution.

Biodiversity Enhancement

The National Planning Policy Framework states that:

“187. 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 and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;

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

“193 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..;”

Biodiversity Net Gain (BNG)

For the main wellsite, a statutory biodiversity metric spreadsheet should be prepared, covering the red line boundary shown on submitted drawing number ZG-ER-W1-W2-PA-01. Applying the mitigation hierarchy, mitigation and biodiversity enhancement should be provided on-site as far as possible, with off-site delivery of habitat being a last resort to be taken only after on-site opportunities have been exhausted.

As the above drawing shows the near-total loss of biodiversity value within the red line boundary, we would OBJECT to the scheme as currently proposed. One way to avoid a BNG-based objection for the main site would be to extend the red line boundary to include additional farmland, to be converted to woodland, connecting the existing blocks of woodland and buffering the development. Ella Beck could also be enhanced, to increase the number of watercourse units in the metric.

For the pipeline route to connect to the existing Cadent IP line, then any areas affected by trenching, reinstatement or above-ground infrastructure should be assessed using the statutory biodiversity metric.

According to the user guidance for the metric:

“You do not need to record a habitat as lost when there are temporary impacts to a habitat and the area can be restored to both:

- baseline habitat type within two years of the initial impact; and
- baseline condition within two years of the initial impact.

You can enter these habitats as ‘enhanced’ if there is action to enhance the habitat above its baseline type and condition. If you do, you should apply a 1- or 2-year delay in starting habitat creation or enhancement.”

Thus, habitats such as arable crops could be considered as retained. However, habitats such as “other neutral grassland”, scrub, hedgerow and woodland would not attain baseline condition within two years, so would require more detailed assessment.

Within any biodiversity net gain assessment we will need to see:

- The statutory biodiversity metric spreadsheet, complete with baseline and post-intervention maps, assessor’s comments and justification of baseline and post-intervention condition assessments.
- A biodiversity gain plan, based on realistic assumptions and habitat proposals selected to meet local priorities and site conditions (not necessarily those with the highest score in the metric).

Where habitat creation is proposed as mitigation, compensation or planning gain, the underlying survey information should be adequate for regulatory authorities to assess whether the proposals are feasible. In addition to information on species and habitats, it will also be necessary to measure physical conditions including (but not exclusively) soil conditions and

hydrology. Where applicable, the applicant should follow the standards set out in Natural England Technical Information Notes.

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

Alicia Morley
Ecologist

Annex- Ecology and Legal Protection

Badgers

Badgers and their setts (tunnels and chambers where they live) are protected by the Protection of Badgers Act 1992.

It is an offence to:

- take, injure or kill a badger - or attempt these actions
- treat a badger cruelly
- interfere with a badger sett
- possess or control a live badger
- mark or ring a badger

Barn Owls

All birds, their nests and eggs are protected by law under Part 1 of the Wildlife and Countryside Act 1981 (as amended). Barn owls are listed on Schedule 1 which gives them special protection.

It is an offence, with certain exceptions, to:

- Intentionally kill, injure, or take (handle) any wild barn owl.
- Intentionally take, damage or destroy any wild barn owl nest whilst in use or being 'built' (barn owls do not 'build' a nest but may make a nest scrape).
- Intentionally take or destroy a wild barn owl egg.
- Have in one's possession or control a wild barn owl (dead or alive), or egg, (unless one can show that it was obtained legally).
- Intentionally or recklessly disturb any wild barn owl whilst 'building' a nest or whilst in, on, or near a nest containing eggs or young.
- Intentionally or recklessly disturb any dependent young of wild barn owls.

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/2010/10490/en/1)

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

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).

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.

Otters

The otter 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).

Water voles

The water vole is fully protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). 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