

Habitats Regulations Assessment

Stage 1 Significance Test and Stage 2 Appropriate Assessment, October 2025

Hybrid planning permission comprising of outline, with all matters reserved for up to 550 dwellings, a local centre (use Class E), associated landscaping, drainage and other infrastructure works. Full Planning permission for the construction of a new vehicular access off the M181/A1077(M) roundabout, a pedestrian and cycle link to Scotter road, a pumping station, earthworks and off-plot drainage, ecological and associated landscaping and infrastructure works

**Land East of M181/A1077(M), Burringham, Scunthorpe, DN17
1US**

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Land Land East of M181/A1077(M), Burringham, Scunthorpe, DN17 1US

Significance Test

Title of Plan

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Location of Plan or Project /Application

Land East of M181/A1077(M), Burringham, SCUNTHORPE, DN17 1US

Ordnance Survey Grid Reference: SE861097

International Nature Conservation Sites

Humber Estuary Special Protection Area (SPA)

Humber Estuary Special Conservation Area (SAC) and Ramsar site

Description of Project (adapted from the submitted Planning and Retail Statement)

The proposed development subject to this hybrid planning application relates to the northern parcel of Lincolnshire Lakes. The proposed development will deliver:

- Up to 550 dwellings of a mix of house types and bed-spaces;
- Up to 3,999sqm of retail, commercial and community facilities within a centrally located local centre;
- Provision for a landscaped, publicly accessible amenity space, including formal and informal play space;
- 6.1ha of blue / green infrastructure;
- Significant biodiversity enhancements through new habitat creation; and
- A pedestrian and cycle link from the site to Scunthorpe.

The red line boundary for the full planning application totals 56.51ha, as earthworks are proposed across the whole site. The red line boundary for the outline planning application extends to 19.79ha. This comprises 'developable' plots for up to 550 residential dwellings and a local centre, alongside 'on-plot' landscaping, drainage and other necessary infrastructure works.

Full planning permission has been sought for the following "Phase 1" works:

- construction of a new vehicular access off the M181/A1077(M) roundabout;
- a pedestrian and cycle link to Scotter Road;
- a foul water pumping station;
- earthworks: a site strip of approximately 0.4 metres of topsoil across the whole site, plus creation of borrow pits;
- 'off-plot' drainage;
- ecological and associated landscaping, and
- site clearance and infrastructure works.

Outline planning permission has been sought for:

- up to 550 residential dwellings in three phases developed at up to 35 dwellings per ha ;
 - Phase 2 plots of 5.05 ha and 2.83 ha;
 - Phase 3 plot of 5.26 ha;
 - Phase 4 plot of 3.31 ha;
- a local centre of 3,999sqm gross external area (GEA) of floorspace (Use Class E),including:
 - retail units, a pub/family restaurant and/or gym;
 - doctor's surgery;
 - pharmacy;
 - creche, and
 - outdoor play area.

Details of Wintering and Passage Birds

Surveys have been carried out between October 2022 and March 2023, and October 2023 and March 2024. These surveys were carried out using walked transects, with stop-offs. Transect routes have not been provided. In this assessment, survey results have been assessed with an assumption that the transects were carried out so as to minimise the potential for disturbance to birds. This appears to be confirmed by the ecologists' report of methods (FPCR 2025a):

“ When arriving on-site, any notable birds present were initially observed at a distance from a viewpoint. This process was repeated at several viewpoints around the Site, as required. The route was therefore adapted so that any birds present could be carefully followed, with a suitable distance maintained at all times to minimise any risk of the surveyor altering bird behaviour. Information was recorded on bird behaviour, paying particular attention to any behavioural changes and their potential cause.”

The FPCR surveys revealed no Humber Estuary SPA/Ramsar interest features or assemblage species in numbers at or above 1% of the 5 year Humber mean peak as at 2022/23. Species such as mallard, teal, lapwing and golden plover and were recorded in numbers below the 1% threshold. No curlew were recorded (this is a species for which numbers below the 1% threshold may be treated as significant).

The Habitats Regulations Assessment Process

The process is described in detail in Circular 06/2005. The Council has followed the Circular as closely as possible. The main stages in the process are as follows. Note that if there are no harmful effects on the features of the International Nature Conservation Sites, or if these effects can be prevented, not all of the stages will be required.

- Determination of Likely Significant Effect
- Appropriate Assessment with regard to site Conservation Objectives.
 - Determine whether there will be an Adverse Effect on the Integrity (AEOI) of the International Nature Conservation Sites with reference to all the relevant interest features.
 - Consider possible restrictions and conditions.
 - Consider alternative approaches.
 - Consider any Imperative Reasons of Over-riding Public Interest (IROPI).

Put simply, the Local Planning Authority can only grant planning permission if, at a given stage above, it can be ascertained that the proposal would not adversely affect the integrity of the International Nature Conservation Sites. Even if, at a late stage in considerations, IROPI were found to apply, compensatory measures would need to be provided.

Circular 06/2005 describes the key decision to be made as follows:

“In the light of the conclusions of the assessment of the project’s effects on the site’s conservation objectives, the decision-taker must determine whether it can ascertain that the proposal will not adversely affect the integrity of the site(s). The integrity of a site is the coherence of its ecological structure and function, across its whole area, that enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which it was classified. It is not for the decision-taker to show that the proposal would harm the site, in order to refuse the application or appeal. It is for the decision-taker to consider the likely and reasonably foreseeable effects and to ascertain that the proposal will not have an adverse effect on the integrity of the site before it may grant permission. If the proposal would adversely affect integrity, or the effects on integrity are uncertain but could be significant, the decision-taker should not grant permission, subject to the provisions of regulations 49 and 53 as described below.”

“..In the Waddenzee judgment, the European Court of Justice ruled that a plan or project may be authorised only if a competent authority has made certain that the plan or project will not adversely affect the integrity of the site. “That is the case where no

reasonable scientific doubt remains as to the absence of such effects”. Competent national authorities must be “convinced” that there will not be an adverse affect and where doubt remains as to the absence of adverse affects, the plan or project must not be authorised, subject to the procedure outlined in Article 6(4) of the EC Habitats Directive regarding imperative reasons of overriding public interest.” – ODPM 2005.

Box 1- Government Guidance on the Determination of Likely Significant Effect (LSE) (www.gov.uk accessed 20 May 2021)

Screening

This step is a simple assessment to check or screen if a proposal:

- is directly connected with or necessary for the conservation management of a European site
- risks having a significant effect on a European site on its own or in combination with other proposals

You should consider the proposal's integral design features or characteristics, such as its layout, timing and location to inform your screening decision. These may mean that any risk to a European site is avoided and you do not need to do an appropriate assessment.

At this stage, you should not consider any mitigation measures included by the proposer for the purpose of avoiding or minimising risk to a European site. These mitigation measures need to be considered at the appropriate assessment stage.

Conservation management proposals

You must first check if the whole proposal is for the conservation management of the habitats or species for which the European site has been designated. If it is, you do not need to carry out an appropriate assessment.

You must continue screening the proposal if it contains:

- conservation management that could negatively affect a different feature or a different European site
- non-conservation management activities, such as development, commercial operations or recreational events

Assess the likely significant effect

You must check if the proposal could have a significant effect on a European site that could affect its conservation objectives.

You should check if there's a risk or possibility of a significant effect based on the evidence. You should only consider real, not hypothetical risk.

[...]

You should consider:

- the area over which the proposed activity would take place
- any overlaps or interaction with the protected features of a site in a direct or indirect way
- the effect of any essential parts of the proposal, such as its location, timing or design

If you cannot rule out the risk of the proposal having a significant effect, you will need to do an appropriate assessment.

Check for combined effects

Your proposal alone may have an effect on a European site that's not significant. You must check if this effect could combine with any other proposal planned or underway and affects the same site, that on its own also does not have a significant effect. If, in combination, your proposal could have a significant effect on the European site, you will need to do an appropriate assessment.

Check for proposals being dealt with by other competent authorities, such as:

- applications for a new permission
- applications to change an existing permission
- granted permissions that have not begun or been completed
- granted permissions that need renewing
- plans that have been drafted but not yet adopted

A proposal, alone or in combination with other proposals, could cause a significant effect on a European site if there's:

- a reduction in the amount or quality of designated habitats or the habitats that support designated species
- a limit to the potential for restoring designated habitats in the future
- a significant disturbance to the designated species
- disruption to the natural processes that support the site's designated features
- only reduction or offset measures in place

If there's no likely significant effect on the site, either alone or in combination, then you do not need to carry out an appropriate assessment.

You should record your screening decision and your reasons for it.

Potential Hazards

Potential hazards to the features of the International Nature Conservation Sites that have been considered are as follows:

- Loss of functionally-linked land supporting birds associated with the Humber Estuary SPA and Ramsar Site.
- Recreational pressure/disturbance to Humber Estuary SAC/SPA/Ramsar interest features
- Water quality impacts on Humber Estuary SAC/Ramsar habitats and habitats used by SPA/Ramsar interest features.
- Aerial deposition of pollutants due to traffic emissions.

Loss of functionally-linked land supporting birds associated with the Humber Estuary.

Natural England has advised that, “if $\geq 1\%$ of a Humber estuary bird species population could be affected by a proposal, alone or in combination with other plans or projects, then further consideration is required. However, where species are particularly vulnerable due to declines in the Humber population, then it may not be appropriate to rely on the 1% of the estuary population as the critical threshold. Mitigation measures may be required where lower numbers of vulnerable species are using a site that is proposed for development.”

The applicants' surveys revealed no Humber Estuary SPA/Ramsar interest features or assemblage species in numbers at or above 1% of the 5 year Humber mean peak as at 2023/24, with the exception of mallard which peaked at 2.33% of the Estuary population.. Species such as teal, lapwing and golden plover and were recorded in numbers below the 1% threshold (see Table 1 overleaf). No curlew were recorded (this is a species for which numbers below the 1% threshold may be treated as significant) (FPCR 2025a)

The mallard were largely recorded on the Earl Beauchamp's Warming Drain (FPCR 2025a), which is to be retained and enhanced within a riparian zone of other neutral grassland as part of the proposals. Further ponds and ditches will be created within the proposed water vole mitigation area, providing additional habitats suitable for this species. Thus, the overall effect of the project on functionally linked land for mallard is expected to be neutral or positive.

Therefore, there is no likely significant effect on the Humber Estuary SPA or Ramsar site due to loss of functionally-linked land supporting birds associated with the Humber Estuary when considering this project alone.

Table 1 Humber Estuary SPA/Ramsar interest features and assemblage species recorded or near the application site

Species	Maximum count	Percentage of Humber Estuary 5-year Mean Peak (2019/20 - 2023/24)
Mallard <i>Anas platyrhynchos</i>	29 on-site	2.33%
Teal <i>Anas crecca</i>	2 on-site	0.04%
	14 off-site	0.26%
Lapwing <i>Vanellus Vanellus</i>	20 on-site	0.17%
	80 off-site	0.67%
Golden Plover <i>Pluvialis apricaria</i>	4 on-site	0.02%

Recreational pressure/disturbance to SPA/Ramsar interest features

Natural England has advised that, “This planning application is part of the Lincolnshire Lakes Area Action Plan (May 2016). The application site falls within the Zone of Influence for recreational disturbance as established by the Humber Estuary Visitor Survey 2023 (Footprint Ecology, 2023). We advise that it is not possible to rule out likely significant effects from potential recreational pressure/disturbance impacts to the Humber Estuary SAC/Ramsar at the screening stage of the HRA. An appropriate assessment should therefore be undertaken to further assess recreational disturbance impacts, with any relevant mitigation measures included where appropriate.”

Water quality impacts on Humber Estuary SAC/Ramsar habitats and habitats used by SPA/Ramsar interest features

Surface water drainage will be to swales, ditches and blue and green infrastructure, providing a degree of pollution treatment before discharging to the Earl Beauchamp’s Drain, which is managed by the Internal Drainage Board. The IDB drain runs about 2 km to the River Trent, which in turn is around 0.5 km upstream of the SAC and Ramsar site. The drain will provide further attenuation of pollution. Any water pollution arising from the development, in either the construction or operational phase is not likely to be detectable within the Humber Estuary SAC/Ramsar site.

There is no likely significant effect on the Humber Estuary SAC, SPA or Ramsar site due to water quality impacts.

Aerial deposition of pollutants due to traffic emissions.

Natural England Commissioned Report NECR200 states that, “..the literature provided evidence that vegetation was being impacted by exposure to motor vehicle pollution at distances of up to 200m from roads and that there was potential for this distance to be greater.” Therefore significant increases in traffic volumes could, in theory, have a likely significant effect on interest features within 200m of roads, where those interest features rely on plant communities being in favourable condition.

Similarly Natural England Report NEA001 says, “Usually, only those European sites present within 200m of the edge of a road on which a plan or project will generate traffic will need to be considered when checking for the likelihood of significant effects from road traffic emissions”

Major roads come within 200 metres of the Humber Estuary SAC/SPA/Ramsar at the following locations:

- A18 - Keadby Bridge
- A1077- South Ferriby
- A15 – Humber Bridge

Natural England Report NEA001 also says, “The use of the AADT [Annual Average Daily Traffic] screening threshold is advocated by Highways England in their Design Manual for Roads and Bridges (DMRB) to check whether more detailed assessment of the impact of emissions from road traffic is required. This non-statutory or guideline threshold is based on a predicted change of daily traffic flows of 1,000 AADT or more (or heavy duty vehicle flows on motorways (HDV) change by 200 AADT or more).

The applicant’s traffic consultants have advised as follows, in relation to Keadby Bridge, which is the nearest of the identified locations to the application site:

- *“Our assessment estimates an AADT development flow of 75 across Keadby Bridge.*
- *[it includes for] A combination of committed developments, the Phoenix Meadows 158 dwellings. [To confirm] our site won’t generate 1,000 AADT flows across Keadby Bridge”.*

The construction of 550 dwellings near Scunthorpe is not likely to increase traffic flows significantly at South Ferriby or the Humber Bridge.

Therefore, there is no likely significant effect on the Humber Estuary SAC, SPA or Ramsar site due to aerial deposition of pollutants due to traffic emissions.

In-combination Plans and Projects.

The proposed project would have the following effect alone. Therefore, it is not necessary at this stage to consider whether this project would act in combination with other plans or projects in relation to this effect (DTA Publications):

- Recreational pressure/disturbance to SPA/Ramsar interest features; and

The following pressures, attributable to the project, are so minor that effects in-combination with other plans or projects are not likely:

- Water quality impacts on Humber Estuary SAC/Ramsar habitats and habitats used by SPA/Ramsar interest features;
- Aerial deposition of pollutants due to traffic emissions.

The following impact pathway shall be considered in more detail in-combination with other plans and projects:

- Loss of functionally-linked land supporting birds associated with the Humber Estuary.

For application PA/2023/1124, also in the Lincolnshire Lakes area, Natural England advised that, in terms of functionally linked land, the project should be considered in-combination with PA/2025/254 (the current application) and other nearby development proposals. Therefore, the same approach has been followed here. The project alone is expected to have a neutral or positive effect on mallard. In terms of teal and golden plover, less than 0.1% of the Humber Estuary 5-year mean peak was recorded on-site, therefore, these species are not considered further in the in-combination assessment. Plans and projects that could affect lapwing are assessed in Table 2 overleaf.

No plans or projects have been identified with residual effects that could act in combination with the 550-dwelling proposal. For other projects in the Lincolnshire Lakes area, no lapwings have been recorded, other than in trivial numbers, except for 515 birds recorded on one site on one occasion. For any port expansion associated with the Lincolnshire Lakes Area action plan, updated survey work would be required and the project would need to provide mitigation for any effects on functionally linked land used by lapwing. Similarly, if significant numbers of lapwing are recorded in the area identified for 1,200 houses west of Scotter Road, then this project will need to provide its own mitigation habitat. This site is nearly 1.3 km from the PA/20205/254 red line boundary, on the far side of Ashby Decoy Golf Course.

Table 2. Plans and Projects around the Humber Estuary that could affect Lapwing

Plan/ Project Name	Description	Species/Numbers	Impacts	Mitigation	Residual Effects After Mitigation
Hargreaves Lincolnshire Lakes (Scunthorpe) CURRENT APPLICATION	Up to 550 dwellings, a local centre, associated landscaping, drainage and other infrastructure works. New vehicular access, cycle link, a pumping station, earthworks.	Lapwing: Peak count of 20 on-site, 80, off-site Estuary population 11,859	No likely significant effect alone in terms of loss of functionally linked land.	None required	None
North Lincolnshire Core Strategy Development Plan document	High level strategic document which sets out the long term spatial planning framework for North Lincolnshire	Lapwing	Non-physical disturbance: noise Non-physical disturbance: visual presence	Appropriate Assessment at project stage South Humber Gateway Conservation Mitigation Strategy Delivery Plan (SHGCMSDP). Mitigation habitat provided at Halton Marsh Wet Grassland	None noted
Hull Local Plan	The main planning document to drive land use and allocations in the City of Hull, including a number of major proposed projects such as Green Port Hull and a new Cruise Terminal	Lapwing	Non-physical disturbance: noise Non-physical disturbance: visual presence	Appropriate Assessment at project stage	None noted

<p>East Riding of Yorkshire Local Plan</p>	<p>East Riding Strategic Local Plan including land allocations for residential housing and for industry. Also includes detailed policies on protection of land designated for nature conservation and for dealing with flood risk.</p>	<p>Lapwing</p>	<p>Three allocations recognised to have a likely significant effect on the SPA/SAC. Elloughton cum Brough -C 39 ha of land allocated for residential development 520m from SPA boundary. Hedon Haven Employment Site (which includes Paull LDO) 240ha of mixed development, immediately adjacent to the SPA. Hessele H 3.34ha Mixed Use immediately adjacent to the SPA. Overall, a loss of 614ha of functionally linked land which may be used by bird species associated with the SPA</p>	<p>Appropriate Assessment at project stage</p>	<p>None noted</p>
<p>North East Lincolnshire Local Development Plan</p>	<p>The adopted Local Plan for North East Lincolnshire, laying out all key policies for the unitary authority area.</p>	<p>Lapwing</p>	<p>Non-physical disturbance: noise Non-physical disturbance: visual presence</p>	<p>South Humber Gateway Mitigation Package; Habitat protection policy; Improved sustainable transport links policy; Additional green infrastructure; Good practice construction techniques</p>	<p>None noted</p>

Yorkshire Energy Park	Mixed use comprising a business park and an education, campus and associated residential accommodation; energy infrastructure; data centre and associated disaster recovery suite; relocated sports facilities; landscaping and open space.	158 Lapwing (0.69% of total Humber Estuary population)	A permanent loss of existing functional habitat (approximately 20 ha) will occur. In addition, approximately 7.5 ha of the remaining core foraging area will be subject to potential disturbance	Creation of a 45.3ha "Ecological Mitigation Zone" situated across the eastern half of the Site. Off-site ecological mitigation area (40.3ha) 4.2km south west of the site at Thorn Marsh Farm	None noted
Outstrays Managed Realignment Scheme	Comprising 349 ha of new embankments, habitat creation and mitigation area and associated works	Lapwing: Max count on site 5679 ; 48.5% of total Humber population	Non-physical disturbance: noise Non-physical disturbance: visual presence	Major works limited to April to Sept inclusive. Restrictions on disturbing works during autumn passage. Restrictions on access to bank tops. Use of screening vegetation; fencing to keep people and dogs out of habitat areas 78.1 ha of saltmarsh created as part of scheme; creation of 28 ha marshy grassland habitat Provision of bird hides	None noted
Welwick to	265ha of new earth	Lapwing:	Non-physical disturbance:	Major works limited to	None noted

Skeffling Managed Realignment Scheme	embankments, habitat creation and mitigation area and associated works	Max count on site 5679 ; 48.5% of total Humber population	noise Non-physical disturbance: visual presence	April to Sept inclusive. Restrictions on disturbing works during autumn passage. Use of screening vegetation 150 ha of saltmarsh created as part of scheme; creation of wet grassland habitat Provision of bird hides	
Able Marine Energy Park	A new quay, wind turbine assembly and testing facilities, 299MW biomass Generating Plant with conveyors, fuel storage, cooling water systems and electricity substation, helipad Plus ancillary plant, equipment, buildings, internal roads, parking facilities, security fencing, landscaping, changes to site access, diversion of existing footpaths, connections to electricity grid, surface water management systems, foul drainage provision.	Lapwing: Max local count foreshore 325; 1.7% total Humber population	Loss of 45ha of estuary (31.5ha) and intertidal mudflat (13.5ha) below the footprint of the development. Loss of functionally linked land outside of the SPA for curlew Functional loss of 11.6ha of mudflats due to visual disturbance and noise of development works and operations	Creation of 16.7 hectares of wet grassland core habitat + buffer as part of a 90 hectare grassland site at Halton Marshes. Creation of 115 ha Regulated Tidal Exchange Scheme at Cherry Cobb Sands	None noted
Able Logistics	A large mixed	Lapwing:	• Loss of intertidal habitat	Any works on seaward	None noted

Park	development of 379.9 ha to produce a new port facility including jetty, berths, dredged channel and a large area of ancillary port handling and storage infrastructure with new flood defence, railway sidings and sewage system.	<p>Max local count 3892; total Humber population 22,765</p> <p>Golden plover:</p> <p>Max winter local count in adjacent fields 617; total Humber wintering population 30,709.</p> <p>Max passage local count in adjacent fields 443; total Humber passage population 17,996</p>	<p>due to coastal squeeze following restoration and improvement of the floodbank.</p> <ul style="list-style-type: none"> • Loss of intertidal habitat due to construction of floodbank toe beam within the current intertidal area. • Surface water drainage into intertidal habitat, causing pollution. • Disturbance of wintering and passage waterbirds during the construction phase of the proposal, including landscaping operations and the creation of waterbird habitat. • Permanent loss of habitat used by wintering and passage waterbirds for feeding, roosting and loafing. • Ongoing noise and visual disturbance of waterbirds using the adjacent intertidal area and areas of created wetland. • Increased light levels and the dominant visual appearance of lighting columns 	<p>side of flood defences and all earthworks to be carried out April to September only</p> <p>Create 2450 sqm intertidal</p> <p>12 hectares of wet grassland core habitat + buffer as part of a 90 hectare grassland site at Halton Marshes + 20 hectares of core habitat and 30 hectares of buffer off-site.</p>	
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			<ul style="list-style-type: none"> • Increase in train traffic, leading to sporadic disturbance of waterbirds using Killingholme Haven Pits SSSI and all three proposed wetland areas. 		
Winterton Carr Solar Farm	10MW solar farm with associated access, landscaping and infrastructure	Lapwing: Max local count 20; total Humber population 16,453	No likely significant effect alone, due to low numbers of birds recorded.	None required	None
Sweet Briar Solar Farm, Ulceby	10MW solar farm with associated access, landscaping and infrastructure	Lapwing: Max local count 564; total Humber population 16,453 3.7% of Estuary population	Loss of feeding, roosting and loafing habitat, determined to have no adverse effect on the integrity of the Humber Estuary SPA or Ramsar site	None required	None
(Island Farm Garthorpe) PROJECT COMPLETE	Creation of coastal grazing marsh on arable land	Lapwing: Peak of 3,000 on site. Large numbers in adjacent SSSI unit.	Disregarding mitigation measures, construction noise or visual disturbance could lead to significant displacement of these birds.	Works took place between August and October with noise and visual disturbance minimisation measures in place.	None noted.
Roxby Solar Farm	49.99 MW (51 hectare) solar farm and associated infrastructure, including a control station, DNO substation, access tracks, inverters etc.	Lapwing: peak count of 8 on site (32 nearby); Estuary population 15,271	No adverse effect on the integrity of the Humber Estuary SPA or Ramsar site alone in terms of loss of functionally linked land.	None required	None
Elsham Data	A data centre park, a	Lapwing:	No adverse effect on the	None required	None

Centre	horticultural glasshouse and other associated works on a 176-hectare site.	Peak of 35 birds recorded on-site; Estuary population 11,859	integrity of the Humber Estuary SPA or Ramsar site alone in terms of loss of functionally linked land.		
Lincolnshire Lakes Plans or Projects					
Plan/ Project Name	Description	Species/Numbers	Impacts	Mitigation	Residual Effects After Mitigation
Lincolnshire Lakes Area Action Plan	Development Plan Document for Lincolnshire Lakes Area, West of Scunthorpe. A sustainable new development of a significant number of new homes across 6 waterside villages, and associated mixed use commercial and leisure opportunities	Lapwing: Peak count of 480 near Neap House Road, northeast of Gunness Wharf	Potential loss of functionally linked land (FLL) due to port expansion. No likely significant effect due to residential development (nearest village would be 1.5 km from recorded flocks)	HRA at project stage	Not known
Keepmoat Lincolnshire Lakes	593 dwellings and lake, along with associated infrastructure, including landscaping, public open space and play area, pedestrian and cycle links, pumping station and sub-station	Lapwing: 515 on site on one occasion only.	No likely significant effect alone in terms of loss of functionally linked land.	Still under consideration	Still under consideration
Land to the North of	Outline planning permission for up to	No lapwing recorded	No adverse effect on the integrity of the Humber	None required	None

Gallagher Retail Park, Scunthorpe	19,000sqm of employment development		Estuary SPA and Ramsar site alone or in combination with other plans or projects.		
Burringham Road	158 dwellings with associated car parking, garages, landscaping, open space, pedestrian circulation and links, pumping station, infrastructure works and access	No lapwing recorded- site not suitable to support this species	No adverse effect on the integrity of the Humber Estuary SPA and Ramsar site alone or in combination with other plans or projects.	None required	None
Land south of Silica Lodge Garden Centre, Scunthorpe	Planning permission for 81 dwellings	No lapwing recorded- site not suitable to support this species	No adverse effect on the integrity of the Humber Estuary SPA and Ramsar site alone or in combination with other plans or projects.	None required	None
Land West of Scotter Road, The Lakes, Scunthorpe	Proposed development for circa 1,200 dwellings, a local centre and school, green infrastructure, drainage infrastructure, open space and associated highway infrastructure Scoping request	Application not yet submitted.	Effects not known – Proposal will have to mitigate for its own effects.	Not known	Not known

Determination of Likely Significant Effect under the Conservation of Habitats and Species Regulations 2017 (as amended)

1. North Lincolnshire Council does not consider that the plan or project is directly connected with, or necessary to, the management of the Humber Estuary Special Protection Area (SPA) and Ramsar site or Humber Estuary Special Conservation Area (SAC) for nature conservation.
2. North Lincolnshire Council is of the opinion that the plan or project is likely to have a significant effect alone or in combination with other plans and projects on the Humber Estuary Special Protection Area (SPA) and Ramsar site.

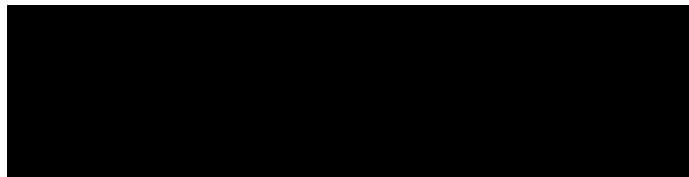
North Lincolnshire Council is of the opinion that the plan or project is not likely to have a significant effect alone or in combination with other plans and projects on the Humber Estuary Special Conservation Area (SAC).

Overall Conclusion

North Lincolnshire Council is of the opinion that an appropriate assessment is required to determine the implications of the project in view of the sites' conservation objectives for the European interest. The appropriate assessment will initially consider the effects of the project alone. The potential impacts requiring appropriate assessment are as follows:

- Recreational pressure/disturbance to SAC/SPA/Ramsar interest features.

Signed



Date 22 October 2025

Designation: Natural Environment Policy Specialist

Summary of Determination of Likely Significant Effect (LSE) on International Nature Conservation Site Interest Features

Humber Estuary Special Area of Conservation (SAC) Interest Features

Interest Feature	Likely Significant Effect	Reason
1. Coastal lagoons	No LSE	Feature not found in or near application site
2. Fixed dunes with herbaceous vegetation ("grey dunes")	No LSE	Feature not found in or near application site
3. Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)	No LSE	Feature not found in or near application site
4. Dunes with <i>Hippophae rhamnoides</i> sea-buckthorn.	No LSE	Feature not found in or near application site
5. Embryonic shifting dunes	No LSE	Feature not found in or near application site
6. <i>Lampetra fluviatilis</i> River lamprey.	No LSE	Feature not found in or near application site
7. Mudflats and sandflats not covered by seawater at low tide	LSE	The Humber Estuary SAC lies about 2.1 km to the west of the application site. The impact of air pollution on the SAC will be insignificant. Surface water drainage will be via swales, green infrastructure and the Earl Beauchamp's Drain, providing a significant degree of pollution attenuation long before any waters enter the River Trent.
8. <i>Petromyzon marinus</i> Sea lamprey	No LSE	Feature not found in or near application site
9. <i>Salicornia</i> and other annuals colonising mud and sand	No LSE	Feature not found in or near application site
10. Sandbanks which are slightly covered by sea water all the time	No LSE	Feature not found in or near application site
11. Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ("white dunes")	No LSE	Feature not found in or near application site
12. Estuaries	LSE	The Humber Estuary SAC lies about 2.1 km to the west of the application site. The impact of air pollution on the SAC will be insignificant. Surface water drainage will be via swales, green infrastructure and the Earl Beauchamp's Drain, providing a significant degree of pollution attenuation long before any waters enter the River Trent.
13. <i>Halichoerus grypus</i> Grey seal	No LSE	Feature not found in or near application site

Humber Estuary Special Protection Area (SPA) Interest Features

Qualifying species

The site qualifies under **article 4.1** of the Directive (79/409/EEC) as it is used regularly by 1% or more of the Great Britain populations of the following species listed in Annex I in any season:

Annex 1 species	Count and season	Likely Significant Effect	Reason
Avocet <i>Recurvirostra avosetta</i>	59 individuals – wintering	No LSE	Species not recorded nearby.
Bittern <i>Botaurus stellaris</i>	4 individuals – wintering	No LSE	Species not recorded nearby.
Hen harrier <i>Circus cyaneus</i>	8 individuals – wintering	No LSE	Species not recorded nearby.
Golden plover <i>Pluvialis apricaria</i>	30,709 individuals – wintering	No LSE	<1% of estuary population recorded on one occasion.. The application site lies 10.9km from the SPA, suggesting that any birds present are unlikely to be closely associated with the SPA. The application site is not considered to be functionally-linked land supporting golden plover associated with the Humber Estuary SPA.
Bar-tailed godwit <i>Limosa lapponica</i>	2,752 individuals – wintering	No LSE	Species not recorded nearby.
Ruff <i>Philomachus pugnax</i>	128 individuals – passage	No LSE	Species not recorded nearby.
Bittern <i>Botaurus stellaris</i>	2 booming males – breeding	No LSE	Species not recorded nearby.
Marsh harrier <i>Circus aeruginosus</i>	10 females – breeding	No LSE	Species not recorded nearby.
Avocet <i>Recurvirostra avosetta</i>	64 pairs – breeding	No LSE	Species not recorded nearby.
Little tern <i>Sterna albifrons</i>	51 pairs – breeding	No LSE	Species not recorded nearby.

The site qualifies under **article 4.2** of the Directive (79/409/EEC) as it is used regularly by 1% or more of the biogeographical populations of the following regularly occurring migratory species (other than those listed in Annex I) in any season:

Migratory species	Count and season	Likely Significant Effect	Reason
Shelduck <i>Tadorna tadorna</i>	4,464 individuals – wintering	No LSE	Species not recorded nearby.
Knot <i>Calidris canutus</i>	28,165 individuals – wintering	No LSE	Species not recorded nearby.
Dunlin <i>Calidris alpina</i>	22,222 individuals – wintering	No LSE	Species not recorded nearby.
Black-tailed godwit <i>Limosa limosa</i>	1,113 individuals – wintering	No LSE	Species not recorded nearby.
Redshank <i>Tringa totanus</i>	4,632 individuals – wintering	No LSE	Species not recorded nearby.
Knot <i>Calidris canutus</i>	18,500 individuals – passage	No LSE	Species not recorded nearby.
Dunlin <i>Calidris alpina</i>	20,269 individuals – passage	No LSE	Species not recorded nearby.
Black-tailed godwit <i>Limosa limosa</i>	915 individuals – passage	No LSE	Species not recorded nearby.
Redshank <i>Tringa totanus</i>	7,462 individuals – passage	No LSE	Species not recorded nearby.

Assemblage qualification:

The site qualifies under **article 4.2** of the Directive (79/409/EEC) as it is used regularly by over 20,000 waterbirds (waterbirds as defined by the Ramsar Convention) in any season:

Interest Feature	Likely Significant Effect	Reason
Over 20,000 waterbirds (waterbirds as defined by the Ramsar Convention) in any season: In the non-breeding season, the area regularly supports 153,934 individual waterbirds	No LSE	Effect on mallard expected to be neutral or positive, given proposed ditch and pond creation and enhancement. <1% of estuary population of Teal, Lapwing recorded. The application site is not considered to be functionally-linked land for teal or lapwing. No in-combination effects identified.

Humber Estuary Ramsar Site Interest Features:

Interest Feature		Likely Significant Effect	Reason
Criterion 1: near-natural estuary with the following component habitats:			
Dune systems and humid dune slacks		No LSE	Feature not found in or near application site
Estuarine waters		No LSE	The Humber Estuary SAC lies about 2.1 km to the west of the application site. The impact of air pollution on the SAC will be insignificant. Surface water drainage will be via swales, green infrastructure and the Earl Beauchamp's Drain, providing a significant degree of pollution attenuation long before any waters enter the River Trent.
Intertidal mud and sand flats		No LSE	
Coastal brackish/saline lagoons		No LSE	Feature not found in or near application site
Criterion 5: regularly supports 20,000 or more waterbirds		No LSE	Effect on mallard expected to be neutral or positive, given proposed ditch and pond creation and enhancement. <1% of estuary population of Teal, Lapwing recorded. The application site is not considered to be functionally-linked land for teal or lapwing. No in-combination effects identified.
Saltmarshes		LSE	Feature not found in or near application site
Criterion 3: animal species important for maintaining the biological diversity of the biogeographic region:			
Grey seals <i>Halichoerus grypus</i> at Donna Nook		No LSE	Feature not found on or near the application site
Natterjack toad <i>Bufo calamita</i> at Saltfleetby-Theddlethorpe		No LSE	Feature not found on or near the application site
Criterion 6: regularly supports 1% of the individuals in the populations of the following species or subspecies of waterbird in any season			
Species	Count and season	Likely Significant Effect	Reason
Shelduck <i>Tadorna tadorna</i>	4,464 individuals – wintering	No LSE	Species not recorded nearby. Shelduck is not recorded in significant numbers along the River Trent (2011/12 Low Tide Counts), so is not likely to be affected by recreational disturbance.

Golden plover <i>Pluvialis apricaria</i>	30,709 individuals – wintering	No LSE	<1% of estuary population recorded on one occasion. Golden Plover is not recorded in significant numbers along the River Trent (2011/12 Low Tide Counts), so is not likely to be affected by recreational disturbance.
Knot <i>Calidris canutus</i>	28,165 individuals – wintering	No LSE	Species not recorded nearby.
Dunlin <i>Calidris alpina</i>	22,222 individuals – wintering	No LSE	Species not recorded nearby.
Black-tailed godwit <i>Limosa limosa</i>	1,113 individuals – wintering	No LSE	Species not recorded nearby.
Bar-tailed godwit <i>Limosa lapponica</i>	2,752 individuals – wintering	No LSE	Species not recorded nearby.
Redshank <i>Tringa totanus</i>	4,632 individuals – wintering	No LSE	Species not recorded nearby. Redshank is not recorded in significant numbers along the River Trent (2011/12 Low Tide Counts).
Golden plover <i>Pluvialis apricaria</i>	17,996 individuals – passage	No LSE	Species not recorded during the passage period. Golden Plover is not recorded in significant numbers along the River Trent (2011/12 Low Tide Counts), so is not likely to be affected by recreational disturbance.
Knot <i>Calidris canutus</i>	18,500 individuals – passage	No LSE	Species not recorded nearby.
Dunlin <i>Calidris alpina</i>	20,269 individuals – passage	No LSE	Species not recorded nearby.

Black-tailed godwit <i>Limosa limosa</i>	915 individuals – passage	No LSE	Species not recorded nearby.
Redshank <i>Tringa totanus</i>	7,462 individuals – passage	No LSE	Species not recorded nearby. Redshank is not recorded in significant numbers along the River Trent (2011/12 Low Tide Counts).
Criterion 8: migration path on which fish stocks, either within the wetland or elsewhere, depend:			
River lamprey <i>Lampetra fluviatilis</i>	No LSE	Feature not found in or near application site	
Sea lamprey <i>Petromyzon marinus</i>	No LSE		

Hybrid planning permission comprising of outline, with all matters reserved for up to 550 dwellings, a local centre (use Class E), associated landscaping, drainage and other infrastructure works. Full Planning permission for the construction of a new vehicular access off the M181/A1077(M) roundabout, a pedestrian and cycle link to Scotter road, a pumping station, earthworks and off-plot drainage, ecological and associated landscaping and infrastructure works

Land Land East of M181/A1077(M), Burringham,
Scunthorpe, DN17 1US

Appropriate Assessment under the Conservation of
Habitats and Species Regulations 2017 (as amended)

1 Summary - Record of Appropriate Assessment in accordance with Habitats Regulations Guidance Note 1

1.1 Title of Plan or Project/Application

Hybrid planning permission comprising of outline, with all matters reserved for up to 550 dwellings, a local centre (use Class E), associated landscaping, drainage and other infrastructure works. Full Planning permission for the construction of a new vehicular access off the M181/A1077(M) roundabout, a pedestrian and cycle link to Scotter road, a pumping station, earthworks and off-plot drainage, ecological and associated landscaping and infrastructure works.

1.2 Location of Plan or Project /Application

Land East of M181/A1077(M), Burringham, Scunthorpe, DN17 1US

Ordnance Survey Grid Reference: SE861097

1.3 International Nature Conservation Site

Humber Estuary Special Protection Area (SPA)
Humber Estuary Special Conservation Area (SAC) and Ramsar site

1.3 Nature/Description of Plan or Project/Application (adapted from the submitted Planning and Retail Statement)

The proposed development subject to this hybrid planning application relates to the northern parcel of Lincolnshire Lakes. The proposed development will deliver:

- Up to 550 dwellings of a mix of house types and bed-spaces;
- Up to 3,999sqm of retail, commercial and community facilities within a centrally located local centre;
- Provision for a landscaped, publicly accessible amenity space, including formal and informal play space;
- 6.1ha of blue / green infrastructure;
- Significant biodiversity enhancements through new habitat creation; and
- A pedestrian and cycle link from the site to Scunthorpe.

The red line boundary for the full planning application totals 56.51ha, as earthworks are proposed across the whole site. The red line boundary for the outline planning application extends to 19.79ha. This comprises 'developable' plots for up to 550 residential dwellings and a local centre, alongside 'on-plot' landscaping, drainage and other necessary infrastructure works.

Date Appropriate Assessment recorded: 22 October 2025

- 1.5 This is a record of the appropriate assessment, required by Regulation 63 of the Habitats Regulations 2017, as amended, undertaken by North Lincolnshire Council in respect of the above plan/project. Having considered that the plan or project

would be likely to have a significant effect on the Humber Estuary SAC, SPA and Ramsar site and that the plan or project was not directly connected with or necessary to the management of the site, an appropriate assessment has been undertaken of the implications of the proposal in view of the sites conservation objectives.

1.6 Natural England was consulted under Reg.63(3) on 27 February 2025 and replied on 24 March 2025 and subsequent occasions; comments expressed by the organisation have helped to formulate this version of the Habitats Regulations Assessment.

1.7 The opinion of the general public was not formally taken under Reg.63(4).

1.8 The sites' conservation objectives have been taken into account, including consideration of the situation for the site and information supplied by Natural England (See Appendix 3). The likely effects of the proposal on the international nature conservation interests for which the site was designated may be summarised as:

- Recreational pressure/disturbance to SAC/SPA/Ramsar interest features.

1.9 The assessment has concluded that the plan or project as proposed would adversely affect the integrity of the site.

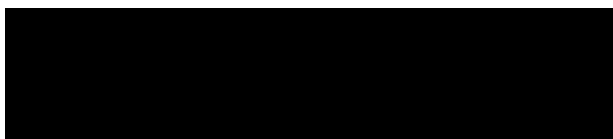
1.10 The imposition of restrictions on the way the proposal is to be carried out has been considered and it is ascertained that:

~~*a) conditions or restrictions cannot overcome the adverse effects on the integrity of the site.~~

Or

b) the measures listed in section 7 of this document would avoid adverse effects on the integrity of the site.

Signe



Date 22 October 2025

Designation Natural Environment Policy Specialist

2 Introduction

- 2.1 The project assessed here is a hybrid planning application comprising of outline, with all matters reserved for up to 550 dwellings, a local centre (use Class E), associated landscaping, drainage and other infrastructure works. Full planning permission has been sought for the construction of a new vehicular access off the M181/A1077(M) roundabout, a pedestrian and cycle link to Scotter road, a pumping station, earthworks and off-plot drainage, ecological and associated landscaping and infrastructure works
- 2.2 The site is east of the M181, Scunthorpe.
- 2.3 North Lincolnshire Council has determined that:
 - 2.2.1 The plan or project is not directly connected with, or necessary to, the management of the Humber Estuary Special Conservation Area (SAC), Humber Estuary Special Protection Area (SPA) or Ramsar site for nature conservation.
 - 2.2.2 The plan or project is likely to have a significant effect alone or in combination with other plans and projects on the Humber Estuary Special Protection Area (SPA) and Ramsar site.
 - 2.2.3 The plan or project is not likely to have a significant effect alone or in combination with other plans and projects on the Humber Estuary Special Conservation Area (SAC) and Ramsar site.
- 2.3 Therefore, as the Competent Authority for the plan or project, North Lincolnshire Council must carry out an appropriate assessment in accordance with Regulation 63 of The Conservation of Habitats and Species Regulations 2017, as amended.
- 2.4 This document is the formal record of that process.

3 The Appropriate Assessment Process

- 3.1 The process is described in detail in Circular 06/2005. The Council has followed the Circular as closely as possible. The main stages in the process are as follows. Note that if there are no harmful effects on the features of the Humber Estuary, or if these effects can be prevented, not all of the stages will be required.
 - 3.1.2.1 Determination of Likely Significant Effect
 - 3.1.2.2 Appropriate Assessment with regard to site Conservation Objectives.
 - 3.1.2.3 Determine whether there will be an Adverse Effect on the Integrity (AEOI) of the International Nature Conservation Sites with reference to all the relevant interest features.
 - 3.1.2.4 Consider possible restrictions and conditions.
 - 3.1.2.5 Consider alternative approaches.
 - 3.1.2.6 Consider any Imperative Reasons of Over-riding Public Interest (IROPI).

3.2 Put simply, the Local Planning Authority can only adopt the plan if, at a given stage in 3.1 above, it can be ascertained that the proposal would not adversely affect the integrity of the International Nature Conservation Sites. Even if, at a late stage in considerations, IROPI and no alternatives were found to apply, compensatory measures would need to be provided.

3.3 Circular 06/2005 describes the key decision to be made as follows:

3.3.1 “In the light of the conclusions of the assessment of the project’s effects on the site’s conservation objectives, the decision-taker must determine whether it can ascertain that the proposal will not adversely affect the integrity of the site(s). The integrity of a site is the coherence of its ecological structure and function, across its whole area, that enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which it was classified. It is not for the decision-taker to show that the proposal would harm the site, in order to refuse the application or appeal. It is for the decision-taker to consider the likely and reasonably foreseeable effects and to ascertain that the proposal will not have an adverse effect on the integrity of the site before it may grant permission. If the proposal would adversely affect integrity, or the effects on integrity are uncertain but could be significant, the decision-taker should not grant permission, subject to the provisions of regulations 49 and 53 as described below.”

3.3.2 “... In the Waddenzee judgment, the European Court of Justice ruled that a plan or project may be authorised only if a competent authority has made **certain** that the plan or project will not adversely affect the integrity of the site. “*That is the case where no reasonable scientific doubt remains as to the absence of such effects*”. Competent national authorities must be “**convinced**” that there will not be an adverse affect and where doubt remains as to the absence of adverse affects, the plan or project must not be authorised, subject to the procedure outlined in Article 6(4) of the EC Habitats Directive regarding imperative reasons of overriding public interest.” – ODPM 2005.

Box 3- Government Guidance on the Appropriate Assessment (www.gov.uk accessed 20 May 2021)

You must carry out an appropriate assessment if you:

- decide there’s a risk of a likely significant effect on a European site
- do not have enough evidence to rule out a risk

The assessment should be:

- more detailed and thorough than the screening check
- appropriate for the nature and complexity of the proposal and allow you to carry out the integrity test

Your appropriate assessment should:

- assess the likely significant effects of a proposal on the integrity of the site and its conservation objectives
- consider ways to avoid or reduce (mitigate) any potential for an ‘adverse effect on the integrity of the site’

Test the integrity of the site

Your appropriate assessment must show whether an adverse effect on the integrity of the site from the proposal can be ruled out or not.

The integrity of the site will be adversely affected if a proposal could, for example:

- destroy, damage or significantly change all or part of a designated habitat
- significantly disturb the population of a designated species, for example, its breeding birds or hibernating bats
- harm the site's ecological connectivity with the wider landscape, for example, harm a woodland that helps to support the designated species from a nearby European site
- harm the site's ecological function, or its ability to survive damage, and reduce its ability to support a designated species
- change the site's physical environment, for example, by changing the chemical makeup of its soil, increasing the risk of pollution or changing the site's hydrology
- restrict access to resources outside the site that are important to a designated species, for example, food sources or breeding grounds
- prevent or disrupt restoration work, or the potential for future restoration, if it undermines the site's conservation objectives

You must be able to rule out all reasonable scientific doubt that the proposal would not have an adverse effect on the integrity of the site before you can allow the proposal to go ahead.

How to assess effects on site integrity

To carry out the assessment and apply the integrity test, you should consider:

- the ecological requirements, conservation objectives and the current conservation status (if known) of the site's designated features that might be affected by the proposal
- each potential effect on the European site, including the risk of combined effects with other proposals, and how they might impact on the site's conservation objectives
- the scale, extent, timing, duration, reversibility and likelihood of the potential effects
- how certain you are of the effects occurring
- mitigation measures that have been proposed or conditions you can attach to avoid or limit the effects
- how confident you can be that mitigation measures will be effective over the whole lifetime of the proposal - for example, the effects of construction, operation and decommissioning

You must consult the relevant SNCB and you should send them a copy of your draft appropriate assessment. You must consider the advice you get back. You should only disagree with the advice if you have a good reason.

You should keep a record of your final appropriate assessment, particularly if you're not following the SNCB's advice. You may need it as evidence if, for example, there's an appeal or freedom of information request.

If you're a local planning authority in England making a decision on planning applications, you should read the guide about appropriate assessments and legal implications on neighbourhood plans and permissions in principle.

Consider mitigation measures

As part of your appropriate assessment, you should consider any mitigation measures that have been included as part of the proposal to remove or reduce potential adverse effects.

You or the proposer can get advice on mitigation measures from the relevant SNCB or an ecological adviser.

You should assess what difference the mitigation measures would make to the effects of the proposal on the site. You must be sure that the mitigation will be effective. To do this, your assessment will need to show:

- how the measures would be implemented and monitored, and how long for
- how you would enforce the measures if you had to
- how certain you are that the measures would work to avoid or reduce effects on the site
- how long it will take for the measures to take effect
- the level of success you expect, or what changes you'd make if monitoring shows the measures may fail

You must make sure that any necessary mitigation measures are put in place now and not wait for adverse effects to happen first.

Attach conditions

If mitigation measures are needed to avoid adverse effects, you should attach conditions or take other necessary steps to make sure the measures are carried out.

You can make conditions flexible. For example, you could remove conditions if it's clear from monitoring that the risk of negative effects is lower than first thought. You should consult the relevant SNCB to make sure the new conditions are still effective.

You should be sure you can enforce the conditions if you need to, and that the proposer is capable of fulfilling them.

Design or method conditions

You can attach conditions to the design features or methods of a proposal to avoid damaging sensitive habitats.

For example, for construction work near a watercourse, you could include the condition of creating a bund to stop sediment or pollution getting into the watercourse.

Timing conditions

You can attach timing conditions to avoid work taking place during sensitive times of year or day.

For example, to avoid disturbing:

- birds, seals and bats during their breeding season
- birds on land or at sea when they're resting or feeding during the winter months

Monitoring conditions

You can attach monitoring conditions to check whether the mitigation measures are working as expected. You can use monitoring as an early warning to identify the risk of any new potential impacts.

Monitoring conditions should clearly state what action the proposer will need to take to make sure adverse effects do not occur if either the:

- impacts are likely to be greater than expected
- mitigation might not be working as expected

[...]

Decide if the proposal passes or fails the integrity test

A proposal will pass the integrity test if your appropriate assessment can show that there is no reasonable scientific doubt that the proposal will not have an adverse effect on the integrity of the site.

This means you can carry out, allow or adopt the proposal - after assessing any other factors that you need to consider - such as noise pollution, landscape damage or flood risk.

If the proposal fails the integrity test because you cannot rule out an adverse effect on site integrity, you must reject the proposal in its current form. This means permission is not granted. The work cannot go ahead or the plan cannot be adopted unless it can pass 3 legal tests and be granted an exception, known as a 'derogation'

4 **Description of Development Application** (adapted from the submitted Planning and Retail Statement)

4.2 The proposed development subject to this hybrid planning application relates to the northern parcel of Lincolnshire Lakes. The proposed development will deliver:

- Up to 550 dwellings of a mix of house types and bed-spaces;
- Up to 3,999sqm of retail, commercial and community facilities within a centrally located local centre;
- Provision for a landscaped, publicly accessible amenity space, including formal and informal play space;
- 6.1ha of blue / green infrastructure;
- Significant biodiversity enhancements through new habitat creation; and
- A pedestrian and cycle link from the site to Scunthorpe.

4.3 The red line boundary for the full planning application totals 56.51ha, as earthworks are proposed across the whole site. The red line boundary for the outline planning application extends to 19.79ha. This comprises 'developable' plots for up to 550 residential dwellings and a local centre, alongside 'on-plot' landscaping, drainage and other necessary infrastructure works.

4.4 Full planning permission has been sought for the following "Phase 1" works:

- construction of a new vehicular access off the M181/A1077(M) roundabout;
- a pedestrian and cycle link to Scotter Road;
- a foul water pumping station;
- earthworks: a site strip of approximately 0.4 metres of topsoil across the whole site, plus creation of borrow pits;
- 'off-plot' drainage;
- ecological and associated landscaping, and
- site clearance and infrastructure works.

4.5 Outline planning permission has been sought for:

- up to 550 residential dwellings in three phases developed at up to 35 dwellings per ha ;
 - Phase 2 plots of 5.05 ha and 2.83 ha;
 - Phase 3 plot of 5.26 ha;
 - Phase 4 plot of 3.31 ha;

- a local centre of 3,999sqm gross external area (GEA) of floorspace (Use Class E), including:
 - retail units, a pub/family restaurant and/or gym;
 - doctor's surgery;
 - pharmacy;
 - creche, and
 - outdoor play area.

5 Summary of Likely Significant Effects on the International Nature Conservation Sites

5.1 Recreational pressure/disturbance to SAC/SPA/Ramsar interest features.

6 Recreational pressure/disturbance to SPA/Ramsar interest features.

6.1 Likely Significant Effect

6.1.1 Natural England has advised that, "This planning application is part of the Lincolnshire Lakes Area Action Plan (May 2016). The application site falls within the Zone of Influence for recreational disturbance as established by the Humber Estuary Visitor Survey 2023 (Footprint Ecology, 2023). We advise that it is not possible to rule out likely significant effects from potential recreational pressure/disturbance impacts to the Humber Estuary SAC/Ramsar at the screening stage of the HRA. An appropriate assessment should therefore be undertaken to further assess recreational disturbance impacts, with any relevant mitigation measures included where appropriate."

6.2 Conservation Objectives

6.2.1 Where a likely significant effect has been identified, recreational pressure/disturbance could prejudice the following elements of the Humber Estuary SPA conservation objectives in relation to the assemblage of passage waterbirds:

- The population of each of the qualifying features, and,
- The distribution of the qualifying features within the site.

6.2.2 SPA objectives provide a useful framework for the consideration of likely significant effects on the Humber Estuary Ramsar site, given that the Ramsar Information Sheet does not set out conservation objectives.

6.3 Further Assessment- SAC and Ramsar Features (River Trent)

6.3.1 The construction and occupation of 550 new dwellings could theoretically result in an increase in the number of people visiting the River Trent sections of the Humber Estuary Ramsar site, roughly 2.1 km west of the application site. Activities such as walking, dog walking, birdwatching and unregulated uses such as off-road use of motorbikes, can lead to disturbance of Ramsar waterbirds and breeding species, such as bittern and marsh harrier. If such

disturbance were to become particularly severe and/or frequent this could affect the population size and distribution of some species.

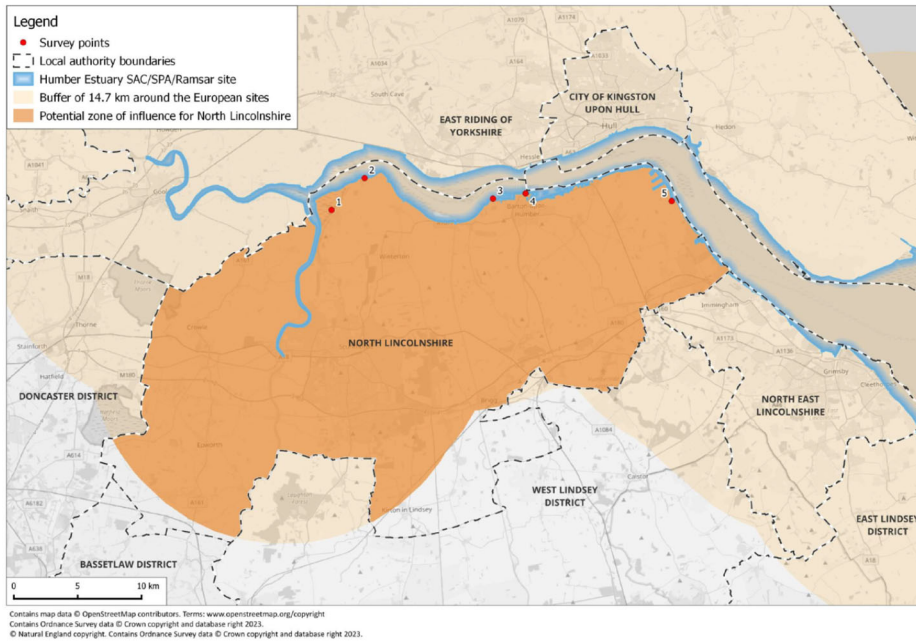
- 6.3.2 <1% of the estuary population of Lapwing, Mallard, Redshank, Wigeon, Golden Plover, Teal, Shelduck and Curlew have previously been recorded along the River Trent (2011/12 Low Tide Counts). There are no public rights of way along the Trent between Keadby Bridge and Alkborough Flats, limiting the potential for an increase in human population to lead to an increase in recreational activity along the Trent. Recreational disturbance is not likely to have a significant effect on the waterbird assemblage or on individual species.
- 6.3.3 The only Humber Estuary SAC features that are recorded along the Trent are mudflats, estuarine waters and lampreys. None of these features are likely to be affected by recreational disturbance.

6.4 Further Assessment- SPA and Ramsar Bird Features.

- 6.4.1 The applicant has provided a Recreational Disturbance Technical Note (Palmer 2025). This refers to Footprint Ecology reports produced between 2010 and 2014, dealing with recreation and bird disturbance around the Humber Estuary (Cruickshanks et al. 2010, Fearnley et al. 2012 and Ross and Liley 2014). These reports have now been updated by Caals et al. (2023).
- 6.4.2 The Technical Note refers to the median distance travelled to the Humber Estuary by recreational visitors as being 4.4 km, based on Fearnley et al (2012). It also refers to 1.8% of all visitors interviewed in the Footprint Ecology Study being from Scunthorpe.
- 6.4.3 The 2023 update report also refers to median travel distance, but states that, “The postcode data from the recent visitor survey can be used to identify a ‘zone of influence’ within which it is assumed that new housing will have a likely significant effect on the European sites due to the impacts from recreation. The best practise for defining this zone begins by calculating the 75th percentile straight-line distance from home postcode to survey location for interviewees who are visiting from home and applying this as a buffer to the European sites (Liley et al., 2021). In the case of North Lincolnshire in 2023, the buffer thus calculated was 14.7 km (Caals et al. 2023). The resulting Zone of Influence is reproduced overleaf.
- 6.4.4 The 2023 report reveals that a number of people from Scunthorpe were interviewed when visiting the Humber Estuary, with their stated frequency of visits ranging from daily to less than once per month. People from Scunthorpe were interviewed at four of the five survey locations in the North Lincolnshire section of the Humber Estuary (the exception being East Halton Skitter, the site furthest from Scunthorpe). Compared to the earlier survey, more people per hour were recorded at survey sites and the median distance travelled was greater (ibid.). Scunthorpe was found to be within the 75th

percentile straight-line distance from home postcode to Alkborough Flats, in particular.

Map 8: Buffer of 14.7 km around the European sites and a potential zone of influence for the locations that were surveyed.



6.4.5 The applicant's Recreational Disturbance Technical Note also sets out an estimate that the proposed development would lead to a 1.6% increase in the population of Scunthorpe. A pro rata calculation is used to estimate that this would lead to a 0.03% increase in visitors to the Humber Estuary, assuming that 1.8% of visitors come from Scunthorpe (Palmer 2025). However, there are a number of limitations to this approach:

- In the 2011-2012 Visitor Surveys, 20 Humber locations were surveyed, of which only 6 were in North Lincolnshire. Some, such as Rimac, Saltfleet, Easington Bank and Spurn are a significant drive-time from Scunthorpe (Fearnley et al 2012). Therefore, it is not surprising that Scunthorpe residents would make up a small percentage of visitors to the Estuary as a whole. Scunthorpe residents made up a much higher percentage of the visitors to sites such as Alkborough Flats, South Ferriby and the Barton upon Humber floodbank. The maps in Fearnley et al. (2012) show that more visitors to the Humber came from Scunthorpe than any other settlement in North Lincolnshire other than Barton upon Humber.
- These 2011-12 Visitor Survey reports were necessarily based on small sample sizes (Each site was surveyed for two days on (a week and weekend day)), resulting in a total of 502 winter visitor surveys (ibid.). This equates to an average of around 12.5 interviews per site per day. Thus, there must be considerable error margins around any percentages calculated and a significant element of chance in terms of the origin of visitors on a given day.
- Similarly, random chance may mean that more, or fewer, new residents in Lincolnshire Lakes visit the Humber Estuary than average,

- As described above, the 2023 Visitor Surveys indicate that more people per hour were recorded at survey sites and the median distance travelled was greater, when compared to the earlier surveys. The Zone of Influence calculated includes Scunthorpe, particularly in relation to Alkborough Flats.

6.4.6 North Lincolnshire Councils draft Strategic Access Management and Mitigation Strategy (SAMMS) states that:

“Given the outcomes of the [2023] Visitor Survey, it is assumed that any net growth in housing and tourism development within the 14.7 km zone of influence (Zoi) of the Humber Estuary SAC/SPA/Ramsar boundary will mean that a likely significant effect on the European Sites cannot be ruled out and that an appropriate assessment will be required and that this will, in turn, be unable to rule out adverse effects on the integrity of the European site. This raises the need for avoidance or mitigation measures to be considered.”

- 6.4.7 The working assumption is therefore that the residents of 550 new dwellings west of Scunthorpe could generate a significant number of additional visits per year to the Humber Estuary SPA/Ramsar site, potentially leading to a likely significant effect in terms of an increase in recreational disturbance of breeding, passage and/or wintering bird species that are interest features of the SPA and/or Ramsar site. This is particularly the case when the residential development is considered in combination with other developments in the Lincolnshire Lakes Area, other recent and current residential developments in North Lincolnshire and those proposed in the current and future Local Plans.
- 6.4.8 This assessment will not include any further analysis of the likely location or magnitude of any recreational disturbance impacts on SPA/Ramsar interest features. Instead, the assessment will follow the working assumption that such impacts are likely to occur and that mitigation measures in accordance with Natural England guidance will be sufficient to ensure that there will be no adverse effect on the integrity of the Humber Estuary SPA/Ramsar site due to recreational disturbance.

6.5 In-combination Effects

- 6.5.1 Much as 550 new dwellings west of Scunthorpe could generate a significant number of additional visits per year to the Humber Estuary SPA/Ramsar site, other sizeable housing developments in North Lincolnshire, Hull, East Riding and North East Lincolnshire may be expected to have similar effects, to be considered in-combination. The housing allocations in the Local Plans for these areas may be considered to have similar effects. Assuming that mitigation measures in accordance with Natural England guidance will be applied to these plans and projects, then there should not be residual impacts to be considered in-combination with the current application.

6.6 Measures taken to avoid, minimise or mitigate effects

- 6.6.1 In respect of population density, Natural England has advised that, “an occupancy rate of 2.4 people per dwelling is recommended to work out the population estimate for housing developments (based on the 2017 Office for National Statistics figure for the average number of persons in all UK households)” (E. Squires, pers. comm.). On that basis, the proposed development may be expected to support approximately 1,320 residents.
- 6.6.2 The mitigation requirements for the 550 dwellings will be addressed by a financial contribution towards a Strategic Access Management and Mitigation Strategy (SAMMS). At the time of writing, the required cost per dwelling is £121 (North Lincolnshire Council 2025). So long as the principle of this assessment is followed, the final cost per dwelling may be updated in the required section 106 agreement when the interim SAMMS approach has been agreed by North Lincolnshire Council.
- 6.6.3 The Interim SAMMS project would use the secured funding, subject to agreement with SAMMS steering group, to deliver projects such as the following:
- Part time Facilitation Officer.
 - Interpretation boards, and access improvement projects (planting, fencing, footpath improvement/diversion) to respond to monitoring outputs. 5 interpretation boards to be provided at each survey location (Alkborough Flats, Whitton Foreshore, Chowder Ness Viewpoint, Waters Edge and East Halton Skitter)
 - Signage (Route direction/”no fouling”/” dogs on lead,” etc.)
 - Route management (Fencing, screening, planting, drainage, widening, etc.)
 - Dog waste bins
 - Habitat protection and improvement (natural screening, litter picking, etc.)
 - Footfall counters to record visitor numbers at key sensitive locations.

6.7 Additional measures taken to avoid, minimise or mitigate effects

- 6.7.1 Natural England has advised that, “If a suitable alternative natural green space (SANG) is being proposed to mitigate for recreational disturbance impacts, we advise that Natural England's SANG guidance (attached alongside this letter) should be considered in design designing a SANG. This guidance has been produced since the Local Plan was adopted. It should be noted that this document is specific to the SANG creation for the Thames Basin Heaths, although the broad principles are more widely applicable. Such provisions can help minimise any predicted increase in recreational disturbance/pressure by containing the majority of recreation within and

around the development site boundary away from the European site.

As a minimum, we advise that such provisions should include

- High quality, informal, semi natural areas of eight hectares per thousand population.
- Circular dog walking routes of 2.3 to 2.7 kilometres within the site.
- Signage information leaflets to promote these areas for recreation.
- Dog waste bins.
- A commitment to the long term maintenance and management of these provisions.

6.7.2 The proposed full planning permission (Phase 1) development will include the provision of green and blue infrastructure that has been assessed as to whether it would represent a Suitable Alternative Natural Greenspace (SANG) that would encourage site residents to explore the outdoors on-site rather than travelling to the Humber Estuary:

- A water vole and nesting bird habitat area. This does not contribute to the SANG, as it is not accessible to walkers.
- A play park. This does not contribute to the SANG, as it is not accessible to dog walkers and does not replicate the type of access experienced around the Humber Estuary.
- 2.59 hectares of “Amenity Parkland” public access land north and south of the main vehicular route as shown on the submitted Circulation Strategy.
- Around 475 metres of cycle and pedestrian route from the residential areas through the Amenity Parkland.

6.7.3 The walking route available is only around 275 metres plus the distance required for each resident to walk along the street to the greenspace. Natural England has advised that, “access within the SANG must be largely unrestricted, with sufficient space provided where it is possible for dogs to exercise freely and safely off lead. Smaller sites may be suitable if they have good links to other small sites, to form a larger total area/network.”

6.7.4 Overall, the linear dog walking route provision is below the required standard, unless connections with the wider Lincolnshire Lakes area can be made at a later date. The outline residential proposals may be expected to provide a little more in the way of walking routes and open space, but as details are not finalised, it is not possible to take this provision into account at this stage.

6.7.5 As the SANG does not fully meet the standards required by Natural England to be formally recorded as mitigation for the 550 houses, the SAMMS

payment has been calculated to ensure that it will provide mitigation in full. However, the provision of a significant area of open space represents a level of “over-mitigation”, providing a high level of confidence that recreational disturbance effects will be minimised.

6.8 Determination of AEOI.

6.8.1 Without mitigation, it would not be possible to determine that the proposed development would have no likely significant effect on the adverse effect on the Integrity of the Humber Estuary SAC, SPA or Ramsar site. However, given the provision of the lake, woodland, grasslands, other open space and walking routes proposed and the provision of the financial contribution to SAMMS, there will be no adverse effect on the Integrity of the Humber Estuary SAC, SPA or Ramsar site arising from recreational disturbance.

7 Register of conditions or restrictions required

7.1 Recreational Disturbance- Strategic Access Management and Mitigation Strategy (SAMMS).

7.1.1 A section 106 planning agreement will be required to secure a financial contribution towards a Strategic Access Management and Mitigation Strategy (SAMMS). The contribution will comprise £121 per dwelling for 550 dwellings, giving a total of £66,550. The triggers for payments shall be:

- Payment of SAMMS for 200 dwellings prior to the commencement of development.
- Payment of SAMMS for a further 200 dwellings prior to occupation of the 190th dwelling.
- Payment of SAMMS for the remaining 150 dwellings prior to occupation of the 380th dwelling.

So long as the principle of this assessment is followed, the final cost per dwelling may be updated in the required section 106 agreement when the interim SAMMS approach has been agreed by North Lincolnshire Council.

8 Overall determination of AEOI.

8.1 Project without restrictions or conditions.

8.1.1 The proposed project is not necessary for the management of the Humber Estuary SAC, SPA or Ramsar site.

8.1.2 The proposed project would have a likely significant effect on the Humber Estuary SAC, SPA and Ramsar site.

8.1.3 It is possible to ascertain that the proposal will not have an adverse effect on the integrity of the Humber Estuary SAC alone or in combination with other plans or projects.

8.1.4 Without mitigation, North Lincolnshire Council cannot ascertain that the proposed project would not have an adverse effect on the integrity of the Humber Estuary SPA and Ramsar site. The sources of the adverse effect on integrity are listed below, along with the International Nature Conservation Site interest features affected:

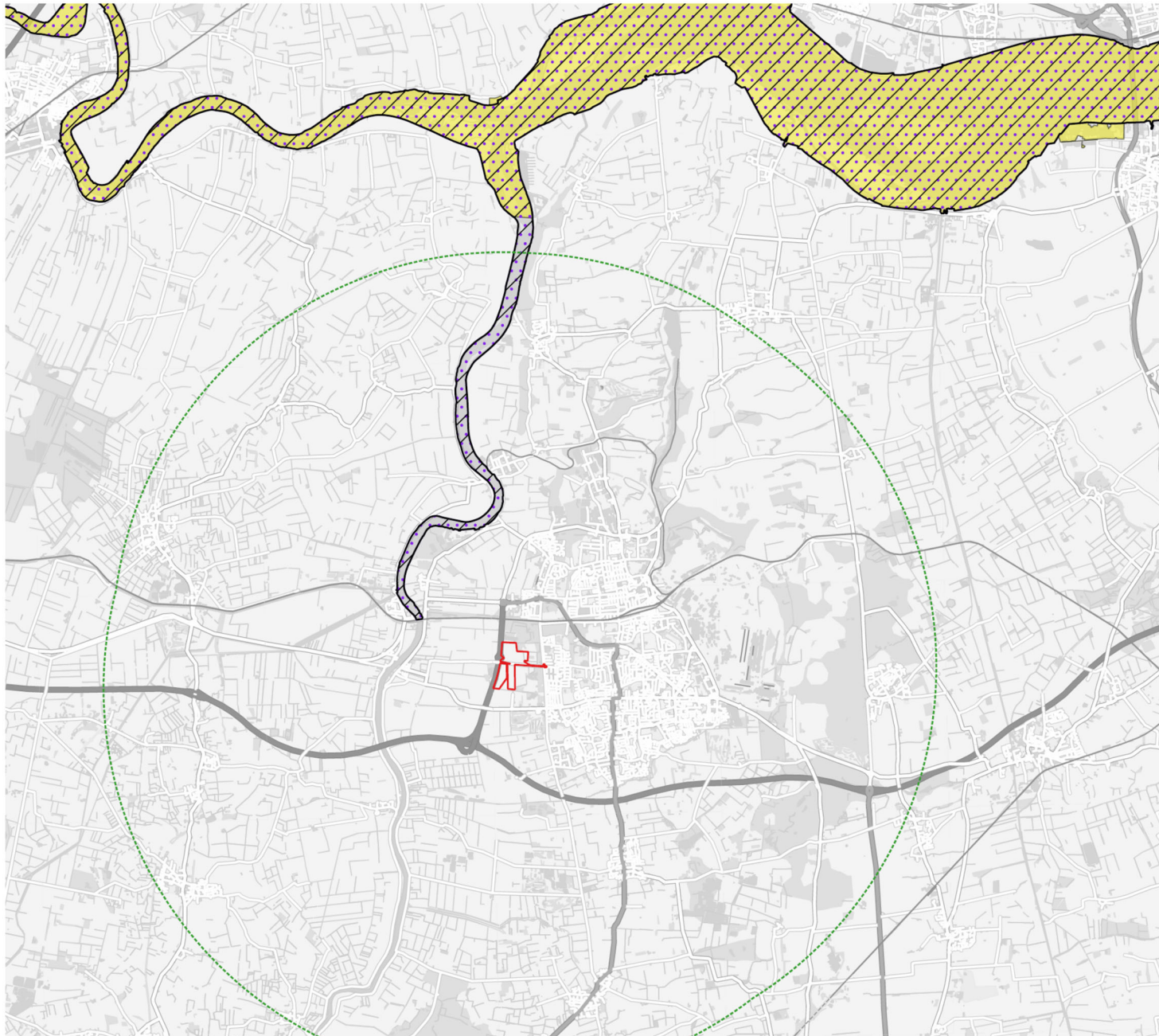
8.1.4.1 Recreational disturbance of breeding, wintering and passage waterbirds using the Humber Estuary SPA and Ramsar site and functionally linked land.

8.2 Project with mitigation

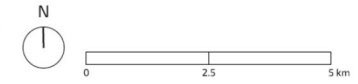
8.2.1 The planning obligations required to remove or minimise adverse effects on International Nature Conservation Site interest features are described in section 7.1 above.

8.2.2 Overall, it is possible to ascertain that the proposal will not have an adverse effect on the integrity of the Humber Estuary SAC, SPA and Ramsar site alone or in combination with other plans or projects.

Appendix 1. (Not to Scale) Location of Proposals in relation to the International Nature Conservation Site.



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- Site boundary
- 10km buffer
- Humber Estuary designated sites**
- Ramsar Sites
- Special Areas of Conservation (SAC)
- Special Protection Areas (SPA)

date 16/12/24 drwn/chid
CAG / GP

client
Hargreaves Land
 project
Lincolnshire Lakes
Scunthorpe

title scale
HRA - Location of Humber 1:97,015 @ A3
Estuary designated sites

number rev
FIGURE 1 -

Appendix 2: Humber Estuary Citations and Conservation Objectives

European Site Conservation Objectives for Humber Estuary Special Area of Conservation Site Code: UK0030170



With regard to the natural habitats and/or species for which the site has been designated (the 'Qualifying Features' listed below), and subject to natural change;

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- **The extent and distribution of qualifying natural habitats and habitats of qualifying species**
- **The structure and function (including typical species) of qualifying natural habitats**
- **The structure and function of the habitats of qualifying species**
- **The supporting processes on which qualifying natural habitats and habitats of qualifying species rely**
- **The populations of qualifying species, and,**
- **The distribution of qualifying species within the site.**

This document should be read in conjunction with the accompanying *Supplementary Advice* document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.

Qualifying Features:

H1110. Sandbanks which are slightly covered by sea water all the time; Subtidal sandbanks

H1130. Estuaries

H1140. Mudflats and sandflats not covered by seawater at low tide; Intertidal mudflats and sandflats

H1150. Coastal lagoons*

H1310. *Salicornia* and other annuals colonising mud and sand; Glasswort and other annuals colonising mud and sand

H1330. Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)

H2110. Embryonic shifting dunes

H2120. Shifting dunes along the shoreline with *Ammophila arenaria* ("white dunes"); Shifting dunes with marram

H2130. Fixed dunes with herbaceous vegetation ("grey dunes"); Dune grassland*

H2160. Dunes with *Hippophae rhamnoides*; Dunes with sea-buckthorn

S1095. *Petromyzon marinus*; Sea lamprey

S1099. *Lampetra fluviatilis*; River lamprey

S1364. *Halichoerus grypus*; Grey seal

* denotes a priority natural habitat or species (supporting explanatory text on following page)

This is a European Marine Site

This site is a part of the Humber Estuary European Marine Site. These Conservation Objectives should be used in conjunction with the Conservation Advice document for the EMS. Natural England's formal Conservation Advice for European Marine Sites can be found via [GOV.UK](https://www.gov.uk).

* Priority natural habitats or species

Some of the natural habitats and species for which UK SACs have been selected are considered to be particular priorities for conservation at a European scale and are subject to special provisions in the Habitats Regulations. These priority natural habitats and species are denoted by an asterisk (*) in Annex I and II of the Habitats Directive. The term 'priority' is also used in other contexts, for example with reference to particular habitats or species that are prioritised in UK Biodiversity Action Plans. It is important to note however that these are not necessarily the priority natural habitats or species within the meaning of the Habitats Regulations.

Explanatory Notes: European Site Conservation Objectives

These Conservation Objectives are those referred to in the Conservation of Habitats and Species Regulations 2017 as amended from time to time (the "Habitats Regulations"). They must be considered when a competent authority is required to make a 'Habitats Regulations Assessment', including an Appropriate Assessment, under the relevant parts of this legislation.

These Conservation Objectives and the accompanying Supplementary Advice (where available) will also provide a framework to inform the measures needed to conserve or restore the European Site and the prevention of deterioration or significant disturbance of its qualifying features.

These Conservation Objectives are set for each habitat or species of a [Special Area of Conservation \(SAC\)](#). Where the objectives are met, the site will be considered to exhibit a high degree of integrity and to be contributing to achieving Favourable Conservation Status for that species or habitat type at a UK level. The term 'favourable conservation status' is defined in regulation 3 of the Habitats Regulations.

Publication date: 27 November 2018 (version 3). This document updates and replaces an earlier version dated 31 March 2014 to reflect the consolidation of the Habitats Regulations in 2017.

With regard to the natural habitats and/or species for which the site has been designated (the Qualifying Features listed below);

Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.

Subject to natural change, to maintain or restore:

- The extent and distribution of qualifying natural habitats and habitats of qualifying species;

European Site Conservation Objectives for Humber Estuary Special Protection Area Site Code: UK9006111



With regard to the SPA and the individual species and/or assemblage of species for which the site has been classified (the 'Qualifying Features' listed below), and subject to natural change;

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;

- **The extent and distribution of the habitats of the qualifying features**
- **The structure and function of the habitats of the qualifying features**
- **The supporting processes on which the habitats of the qualifying features rely**
- **The population of each of the qualifying features, and,**
- **The distribution of the qualifying features within the site.**

This document should be read in conjunction with the accompanying *Supplementary Advice* document, which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.

Qualifying Features:

- A021 *Botaurus stellaris*; Great bittern (Non-breeding)
- A021 *Botaurus stellaris*; Great bittern (Breeding)
- A048 *Tadorna tadorna*; Common shelduck (Non-breeding)
- A081 *Circus aeruginosus*; Eurasian marsh harrier (Breeding)
- A082 *Circus cyaneus*; Hen harrier (Non-breeding)
- A132 *Recurvirostra avosetta*; Pied avocet (Non-breeding)
- A132 *Recurvirostra avosetta*; Pied avocet (Breeding)
- A140 *Pluvialis apricaria*; European golden plover (Non-breeding)
- A143 *Calidris canutus*; Red knot (Non-breeding)
- A149 *Calidris alpina alpina*; Dunlin (Non-breeding)
- A151 *Philomachus pugnax*; Ruff (Non-breeding)
- A156 *Limosa limosa islandica*; Black-tailed godwit (Non-breeding)
- A157 *Limosa lapponica*; Bar-tailed godwit (Non-breeding)
- A162 *Tringa totanus*; Common redshank (Non-breeding)
- A195 *Sterna albifrons*; Little tern (Breeding)
- Waterbird assemblage

This is a European Marine Site

This SPA is a part of the Humber Estuary European Marine Site (EMS). These Conservation Objectives should be used in conjunction with the Conservation Advice document for the EMS. Natural England's formal Conservation Advice for European Marine Sites can be found via [GOV.UK](https://www.gov.uk).

Explanatory Notes: European Site Conservation Objectives

These Conservation Objectives are those referred to in the Conservation of Habitats and Species Regulations 2017 (as amended) ('the Habitats Regulations'). They must be considered when a competent authority is required to make a 'Habitats Regulations Assessment' including an Appropriate Assessment, under the relevant parts of this legislation.

These Conservation Objectives, and the accompanying Supplementary Advice (where this is available), will also provide a framework to inform the management of the European Site and the prevention of deterioration of habitats and significant disturbance of its qualifying features

These Conservation Objectives are set for each bird feature for a [Special Protection Area \(SPA\)](#).

Where these objectives are being met, the site will be considered to exhibit a high degree of integrity and to be contributing to achieving the aims of the Wild Birds Directive.

Publication date: 21 February 2019 (version 4). This document updates and replaces an earlier version dated 30 June 2014 to reflect the consolidation of the Habitats Regulations in 2017.

The Humber Estuary Ramsar site conservation objectives

Criterion 2: Conservation objective for the internationally important wetland, hosting an assemblage of threatened coastal and wetland invertebrates

Subject to natural change, maintain* the wetland hosting an assemblage of threatened coastal and wetland invertebrates in favourable condition, in particular:

- Saltmarsh communities
- Coastal lagoons

Criterion 3: Conservation objective for the internationally important wetland, supporting a breeding colony of grey seals *Halichoerus grypus*

Subject to natural change, maintain* the **wetland hosting a breeding colony of grey seals** in favourable condition, in particular:

- Intertidal mudflats and sandflats

Criterion 5: Conservation objective for the internationally important wetland, regularly supporting 20,000 or more waterfowl

Subject to natural change, maintain* the **wetland regularly supporting 20,000 or more waterfowl** in favourable condition, in particular:

- Intertidal mudflats and sandflats
- Saltmarsh communities
- Tidal reedbeds

Criterion 6: Conservation objective for the internationally important wetland, regularly supporting 1% or more of the individuals in a population of one species or sub-species of waterfowl

Subject to natural change, maintain* the **wetland regularly supporting 1% or more of the individuals in a population of one species or sub-species of waterfowl** in favourable condition, in particular:

- Intertidal mudflats and sandflats
- Saltmarsh communities
- Tidal reedbeds
- Coastal lagoons

Note: The Ramsar site conservation objectives for **critterion 2 & 3** interest focus on the condition of the habitats that support or host species of international importance. Information on the status of the species in terms of national and international population and distribution trends will be used to inform judgements made with regards to the management and protection of the sites.

The Ramsar site conservation objectives for **critterion 5 & 6** interest focus on the condition of the habitats that support the bird populations. This is in recognition of changes in bird populations that may take place as a consequence of national or international trends or events. Annual counts for qualifying species will be used by Natural England in the context of five-year peak means together with other available information on the national and international population and distribution trends to inform judgements regarding the management and protection of the site.

- Maintain implies restoration if the feature is not currently in favourable condition.

Appendix 3: References

- Caals, Z., Saunders, P. & Bishop, E. (2023) Humber Estuary Visitor Survey 2023. Report by Footprint Ecology.
- Calbrade, N.A. (2013) Humber Estuary Low Tide Programme 2011/12. BTO Research Report no. 642
- Calbrade, N.A., Birtles, G.A., Woodward, I.D., Feather, A., Hiza, B., Caulfield, E., Balmer, D.E., Peck, K., Wotton, S.R., Shaw, J.M., and Frost, T.M. 2025. Waterbirds in the UK 2023/24: The Wetland Bird Survey and Goose & Swan Monitoring Programme. BTO/RSPB/JNCC/NatureScot. Thetford.
- Clift, T. (2025) Planning and Retail Statement: Planning Application 1 at Lincolnshire Lakes (North). Avison Young (UK) Limited. Unpublished report.
- FPCR (2025a) Appendix 7: Appendix 7: Wintering Bird Report. Appendix to Ecological Impact Assessment. FPCR report.
- FPCR (2025b) Biodiversity Net Gain Feasibility Report. Lincolnshire Lakes (North), Scunthorpe. FPCR report.
- Liley, D., Panter, C. & Chapman, C. (2021) Zones of influence for strategic housing growth and recreation impacts: review and best practice. Habitats Regulations Assessment Journal 16:20-22
- North Lincolnshire Council (2024) North Lincolnshire Local Plan (2020-2038): Briefing Paper – Position With Natural England, June 2024
- North Lincolnshire Council (2025) Interim Position Statement Strategic Access Management And Mitigation Strategy (SAMMS) : Housing and Employment Land Allocations DPD, Lincolnshire Lakes AAP and Current Pending Planning Applications.
- North Lincolnshire Council (2025) Draft Strategic Access Management and Mitigation Strategy (SAMMS)- MARCH 2025. Unpublished Document in preparation.
- Office of the Deputy Prime Minister (2005) Government Circular: Biodiversity and Geological Conservation – Statutory Obligations and their Impact Within the Planning System. ODPM Circular 06/2005
- Palmer, G. (2025) Appendix 13: Recreational Impacts Technical Note. Appendix to Ecological Impact Assessment. FPCR report.
- Telfer, E. (2025) Ecological Impact Assessment: Hargreaves Land Limited. FPCR report.

Appendix 4: Natural England Advice

Date: 24 March 2025
Our ref: 504571
Your ref: PA/2025/254



Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dean Watson
Development Management
North Lincolnshire Council
Business Development
Church Square House
30-40 High Street
Scunthorpe
DN15 6NL

BY EMAIL ONLY

Dear Dean Watson,

Planning consultation: Hybrid planning permission comprising of outline, with all matters reserved for up to 550 dwellings, a local centre (use Class E), associated landscaping, drainage and other infrastructure works. Full Planning permission for the construction of a new vehicular access off the M181/A1077(M) roundabout, a pedestrian and cycle link to Scotter road, a pumping station, earthworks and off-plot drainage, ecological and associated landscaping and infrastructure works.

Location: Land East of M181/A1077(M), Burringham, SCUNTHORPE, DN17 1US

Thank you for your consultation on the above dated 27 February 2025, which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

As submitted, the application could have potential significant effects on the Humber Estuary Special Area of Conservation (SAC) and Ramsar site, and the Humber Estuary Site of Special Scientific Interest (SSSI). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- A Habitats Regulations Assessment (HRA).
- Further information relating to potential impacts on the Humber Estuary designated sites as part of the Habitats Regulations Assessment including potential impacts to functionally linked land, recreational pressure / disturbance, air quality and in-combination assessment.

Without this information, Natural England may need to object to the proposal.

Please re-consult Natural England once this information has been obtained.

THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 (AS AMENDED)

The application site is within or in close proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2017, as amended (the 'Habitats Regulations'). The application site is in close proximity to the Humber Estuary Special Protection Area (SPA) and Special Area of Conservation (SAC) which are European sites. The site is also listed as the Humber Estuary Ramsar site¹ and notified at a national level as Humber Estuary Site of Special Scientific Interest (SSSI). Please see the subsequent sections of this letter for our advice relating to SSSI features.

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have¹. The [Conservation objectives](#) for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

Special Protection Areas (SPAs) are classified for rare and vulnerable birds. Many of these sites are designated for mobile species that may also rely on areas outside of the site boundary. These supporting habitats may be used by SPA populations or some individuals of the population for some or all of the time. These supporting habitats can play an essential role in maintaining SPA species populations, and proposals affecting them may therefore have the potential to affect the European site.

The development is within 2.1km of the Humber Estuary designated sites and falls within a SSSI Impact Risk Zone. Despite the proximity of the application to European Sites, the consultation documents provided do not include information to demonstrate that the requirements of regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended) have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

It is Natural England's advice that the proposal is not directly connected with or necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out. Natural England advises that there is currently not enough information to determine whether the likelihood of significant effects can be ruled out.

Additional Information required.

Functionally Linked Land (FLL)

Natural England considers that the proposed development has the potential to impact on birds using functionally linked land associated with the Humber Estuary SPA and Ramsar. We advise that the potential for loss of functionally linked land and / or construction / operational impacts on birds on functionally linked land, should be considered in assessing what, if any, potential impacts the proposal may have on European sites.

Natural England welcomes the wintering bird survey report (January 2025) We advise this data is used to inform the HRA. In addition, we recommend that you obtain the following information, to help undertake the Habitats Regulations Assessment (HRA):

- A data search from appropriate source/s, such as the local Ecological Data Centre;

¹ Requirements are set out within Regulations 63 and 64 of the Habitats Regulations, where a series of steps and tests are followed for plans or projects that could potentially affect a European site. The steps and tests set out within Regulations 63 and 64 are commonly referred to as the 'Habitats Regulations Assessment' process. The Government has produced core guidance for competent authorities and developers to assist with the Habitats Regulations Assessment process. This can be found on the Defra website. <http://www.defra.gov.uk/habitats-review/implementation/process-guidance/guidance/sites/>

- Consultation with the Council's Ecologist;
- Consultation with local bird groups and other organisations that may hold relevant information; and
- A desk-based assessment - using aerial photography, mapping, habitat maps and relevant ecological literature – of the suitability for SPA birds of the habitats present on the proposed site and adjacent fields.

The Humber Estuary SPA qualifies under article 4.2 of the European Commission Bird Directive (79/409/EEC) in that it supports an internationally important assemblage of waterbirds. Please refer to Annex B for further guidance on the 'main component species' of the assemblage.

Natural England has generally advised that if $\geq 1\%$ of a Humber Estuary bird species population could be affected by a proposal, alone or in combination with other plans or projects, then further consideration is required. However, where species are particularly vulnerable due to declines in the Humber population, then it may not be appropriate to rely on the 1% of the estuary population as the critical threshold. Mitigation measures may be required where lower numbers of vulnerable species are using a site that is proposed for development.

Consideration should be given to the Supplementary Advice on Conservation Objectives for the SPA: [Designated Sites View \(naturalengland.org.uk\)](https://naturalengland.org.uk/designated-sites-view).

Recreational pressure / disturbance

Natural England notes that the proposed development is approximately 2.1km from the nearest point of the Humber Estuary Ramsar and 10.5km from the nearest point of the Humber Estuary SPA. We note that a Recreational Impacts Technical Note (dated January 2025) has been submitted for the proposed development, and this can be used to inform the HRA.

This planning application is part of the Lincolnshire Lakes Area Action Plan (May 2016). The application site falls within the Zone of Influence for recreational disturbance as established by the Humber Estuary Visitor Survey 2023 (Footprint Ecology, 2023). We advise that it is not possible to rule out likely significant effects from potential recreational pressure / disturbance impacts to the Humber Estuary SAC / Ramsar at the screening stage of the HRA. An appropriate assessment should therefore be undertaken to further assess recreational disturbance impacts, with any relevant mitigation measures included where appropriate.

If a Suitable Alternative Natural Greenspace (SANG) is being proposed to mitigate for recreational disturbance impacts, we advise that Natural England's SANG guidance (attached alongside this letter) should be considered in designing a SANG. This guidance has been produced since the Local Plan was adopted. It should be noted that this document is specific to the SANG creation for the Thames Basin Heaths, although the broad principles are more widely applicable. Such provisions can help minimise any predicted increase in recreational disturbance/ pressure by containing the majority of recreation within and around the development site boundary away from the European site.

As a minimum, we advise that such provisions should include:

- High-quality, informal, semi-natural areas of 8 ha per 1000 population.
- Circular dog walking routes of 2.3 - 2.7 km within the site.
- Signage/information leaflets to promote these areas for recreation.
- Dog waste bins.
- A commitment to the long-term maintenance and management of these provisions.

Air quality impacts from traffic

When undertaking an assessment of the potential impacts during the construction or operation phase of the development there will need to be clarification provided on which roads will be used to access the development site, and the number of predicted vehicle movements. Natural England has produced [guidance](#) for assessing the impacts of air pollution due to traffic.

Ammonia emissions from road traffic could make a significant difference to nitrogen deposition close to roads. As traffic composition transitions toward more petrol and electric cars (i.e., fewer diesel cars on the road) – catalytic converters may aid in reducing NOx emissions but result in increased ammonia emissions – therefore consideration of the potential for impacts is needed (see [Air Quality Consultants - News - Ammonia Emissions from Roads for Assessing Impacts on Nitrogen-Sensitive Habitats \(aqconsultants.co.uk\)](https://www.aqconsultants.co.uk/news/ammonia-emissions-from-roads-for-assessing-impacts-on-nitrogen-sensitive-habitats)).

There are currently two models which can be used to calculate the ammonia concentration and contribution to total N deposition from road sources. One of these models is publicly available and called CREAM ([Air Quality Consultants - News - Ammonia Emissions from Roads for Assessing Impacts on Nitrogen-Sensitive Habitats \(aqconsultants.co.uk\)](https://www.aqconsultants.co.uk/news/ammonia-emissions-from-roads-for-assessing-impacts-on-nitrogen-sensitive-habitats)), and there is another produced by National Highways.

In-combination assessment

The HRA will need to consider in-combination impacts from other relevant projects and plans. The in-combination requirement makes sure that the effects of numerous small proposals, which alone would not result in a significant effect, are assessed to determine whether their combined effect would be significant enough to require more detailed assessment. Plans or projects that should be considered in the in-combination assessment include the following:

- The incomplete or non-implemented parts of plans or projects that have already commenced;
- Plans or projects given consent or given effect but not yet started;
- Plans or projects currently subject to an application for consent or proposed to be given effect;
- Projects that are the subject of an outstanding appeal;
- Ongoing plans or projects that are the subject of regular review;
- Any draft plans being prepared by any public body;
- Any proposed plans or projects published for consultation prior to application.

Where consideration of in-combination effects is required, its necessary extent must be decided on a case-by-case basis. In Natural England's opinion the competent authority can apply their professional judgment when considering the scope of the in-combination assessment. An exhaustive search for relevant plans and projects by a competent authority is normally required to comply with the Habitats Regulations. However, a pragmatic approach to identifying the most pertinent ones may need to be taken where there is a large number of proposals. Where a competent authority chooses to take a more pragmatic approach, suitable justification should be provided.

Other advice

Strategic approach to the HRA

Natural England would encourage your authority to produce a strategic HRA, which fully assesses the impact of all proposals within the Lincolnshire Lakes. We consider that this would be a more effective approach in determining the full extent of the environmental impacts of this project on the Humber Estuary internationally designated sites and may enable a more streamlined approach through the planning process, specifically in relation to any in combination effects and delivery of effective mitigation.

WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

Sites of Special Scientific Interest

Natural England notes that the application site is located in proximity to the Humber Estuary SSSI. Based on the plans submitted, Natural England considers that the proposed development could

have potential significant effects on the interest features for which the Humber Estuary SSSI site has been notified. Natural England requires further information in order to determine the significance of these impacts. Our advice regarding the potential impacts upon the Humber Estuary SSSI coincide with our advice regarding the potential impacts upon the Humber Estuary SAC / Ramsar as detailed above.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Further general advice on the protected species and other natural environment issues is provided at Annex A.

Please consult us again once the information requested above, has been provided. If you have any queries relating to the advice in this letter, please contact me on martha.griffin@naturalengland.org.uk

Yours sincerely,

Martha Griffin
Yorkshire and Northern Lincolnshire Area Team
Natural England

Annex A –Natural England general advice

Protected Landscapes

Paragraph 182 of the [National Planning Policy Framework](#) (NPPF) requires great weight to be given to conserving and enhancing landscape and scenic beauty within Areas of Outstanding Natural Beauty (known as National Landscapes), National Parks, and the Broads and states that the scale and extent of development within all these areas should be limited. Paragraph 183 requires exceptional circumstances to be demonstrated to justify major development within a designated landscape and sets out criteria which should be applied in considering relevant development proposals. [Section 245](#) of the Levelling Up and Regeneration Act 2023 places a duty on relevant authorities (including local planning authorities) to seek to further the statutory purposes of a National Park, the Broads or an Area of Outstanding Natural Beauty in England in exercising their functions. This duty also applies to proposals outside the designated area but impacting on its natural beauty.

The local planning authority should carefully consider any impacts on the statutory purposes of protected landscapes and their settings in line with the NPPF, relevant development plan policies and the Section 245 duty. The relevant National Landscape Partnership or Conservation Board may be able to offer advice on the impacts of the proposal on the natural beauty of the area and the aims and objectives of the statutory management plan, as well as environmental enhancement opportunities. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to development and its capacity to accommodate proposed development.

Wider landscapes

Paragraph 180 of the NPPF highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape and Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute](#) Guidelines for Landscape and Visual Impact Assessment for further guidance.

Biodiversity duty

The local planning authority has a [duty](#) to conserve and enhance biodiversity as part of its decision making. Further information is available [here](#).

Designated nature conservation sites

Paragraphs 186-188 of the NPPF set out the principles for determining applications impacting on Sites of Special Scientific Interest (SSSI) and habitats sites. Both the direct and indirect impacts of the development should be considered. A Habitats Regulations Assessment is needed where there is a likely significant effect on a habitats site and Natural England must be consulted on '[appropriate assessments](#)'. Natural England must also be consulted where development is in or likely to affect a SSSI and provides advice on potential impacts on SSSIs either via [Impact Risk Zones](#) or as standard or bespoke consultation responses.

Protected Species

Natural England has produced [standing advice](#) to help planning authorities understand the impact of particular developments on protected species. Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances. A protected species [licence](#) may be required in certain cases.

Local sites and priority habitats and species

The local planning authority should consider the impacts of the proposed development on any local wildlife or geodiversity site, in line with paragraphs 180, 181 and 185 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity to help nature's recovery. Natural England does not hold locally specific information on local

sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies. Emerging [Local Nature Recovery Strategies](#) may also provide further useful information.

Priority habitats and species are of particular importance for nature conservation and are included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest on the Magic website or as Local Wildlife Sites. A list of priority habitats and species can be found on [Gov.uk](#).

Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

Biodiversity and wider environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 180(d), 185 and 186. Major development (defined in the [NPPF glossary](#)) is required by law to deliver a biodiversity gain of at least 10% from 12 February 2024 and this requirement is expected to be extended to smaller scale development in spring 2024. For nationally significant infrastructure projects (NSIPs), it is anticipated that the requirement for biodiversity net gain will be implemented from 2025.

Further information on biodiversity net gain, including [draft Planning Practice Guidance](#), can be found [here](#).

The statutory [Biodiversity Metric](#) should be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites, the [Small Sites Metric](#) may be used. This is a simplified version of the [Biodiversity Metric](#) and is designed for use where certain criteria are met.

The mitigation hierarchy as set out in paragraph 186 of the NPPF should be followed to firstly consider what existing habitats within the site can be retained or enhanced. Where on-site measures are not possible, provision off-site will need to be considered.

Development also provides opportunities to secure wider biodiversity enhancements and environmental gains, as outlined in the NPPF (paragraphs 8, 74, 108, 124, 180, 181 and 186). Opportunities for enhancement might include incorporating features to support specific species within the design of new buildings such as swift or bat boxes or designing lighting to encourage wildlife.

Natural England's [Environmental Benefits from Nature tool](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside the [Biodiversity Metric](#) and is available as a beta test version.

Further information on biodiversity net gain, the mitigation hierarchy and wider environmental net gain can be found in government [Planning Practice Guidance for the natural environment](#).

Ancient woodland, ancient and veteran trees

The local planning authority should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 186 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land

classification (ALC) information to apply NPPF policies (Paragraphs 180 and 181). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in [GOV.UK guidance](#) Agricultural Land Classification information is available on the [Magic](#) website and the [Data.Gov.uk](#) website

Guidance on soil protection is available in the Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), and we recommend its use in the design and construction of development, including any planning conditions. For mineral working and landfilling, separate guidance on soil protection for site restoration and aftercare is available on [Gov.uk](#) website. Detailed guidance on soil handling for mineral sites is contained in the Institute of Quarrying [Good Practice Guide for Handling Soils in Mineral Workings](#).

Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

[Green Infrastructure](#)

Natural England's [Green Infrastructure Framework](#) provides evidence-based advice and tools on how to design, deliver and manage green and blue infrastructure (GI). GI should create and maintain green liveable places that enable people to experience and connect with nature, and that offer everyone, wherever they live, access to good quality parks, greenspaces, recreational, walking and cycling routes that are inclusive, safe, welcoming, well-managed and accessible for all. GI provision should enhance ecological networks, support ecosystems services and connect as a living network at local, regional and national scales.

Development should be designed to meet the [15 Green Infrastructure Principles](#). The GI Standards can be used to inform the quality, quantity and type of GI to be provided. Major development should have a GI plan including a long-term delivery and management plan. Relevant aspects of local authority GI strategies should be delivered where appropriate.

GI mapping resources are available [here](#) and [here](#). These can be used to help assess deficiencies in greenspace provision and identify priority locations for new GI provision.

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths, together with the creation of new footpaths and bridleways should be considered. Links to urban fringe areas should also be explored to strengthen access networks, reduce fragmentation, and promote wider green infrastructure.

Rights of Way, Access land, Coastal access and National Trails

Paragraphs 104 and 180 of the NPPF highlight the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

Further information is set out in Planning Practice Guidance on the [natural environment](#)

Annex B: Humber Estuary Special Protection Area: non-breeding waterbird assemblage (Version 2, July 2024)

The Humber Estuary Special Protection Area (SPA) qualifies under article 4.2 of the European Commission Bird Directive (79/409/EEC) in that it supports an internationally important assemblage of waterbirds. Confusion can arise concerning which species to consider when assessing the Humber Estuary SPA non-breeding, waterbird assemblage feature.

Natural England recommends focusing on what are referred to as the 'main component species' of the assemblage. Main component species are defined as:

- a) All species listed individually under the assemblage feature on the SPA citation (i.e. the species that qualified in 2007 when the site was designated).
- b) Species which might not be listed on the SPA citation but occur at site levels of more than 1% of the national population according to the most recent Humber Estuary Wetland Bird Survey (WeBS) 5-year average count (currently 2018/19 - 2022/23).
- c) Species where more than 2000 individuals are present according to the most recent Humber Estuary WeBS count.

The assemblage qualification is therefore subject to change as species' populations change. It should be noted that species listed on the citation under the assemblage features, whose populations have fallen to less than 1% of the national population, retain their status as a main component species and should be considered when assessing the impacts of a project or plan on the Humber Estuary SPA.

Natural England advises that the main component species of the Humber Estuary SPA non-breeding waterbird assemblage include (July 2024):

a) *Species listed individually under the assemblage feature on the SPA citation:*

- Avocet, *Recurvirostra avosetta* (non-breeding)
- Bar-tailed godwit, *Limosa lapponica* (non-breeding)
- Bittern, *Botaurus stellaris* (non-breeding)
- **Black-tailed godwit, *Limosa limosa islandica* (non-breeding)¹**
- **Brent goose, *Branta bernicla* (non-breeding)¹**
- **Curlew, *N. arquata* (non-breeding)¹**
- **Dunlin, *Calidris alpina alpina* (non-breeding)¹**
- **Golden plover, *Pluvialis apricaria* (non-breeding)¹**
- Goldeneye, *Bucephala clangula* (non-breeding)
- Greenshank, *T. nebularia* (non-breeding)
- Grey plover, *P. squatarola* (non-breeding)
- Knot, *Calidris canutus* (non-breeding)
- **Lapwing, *Vanellus vanellus* (non-breeding)¹**
- **Mallard, *Anas platyrhynchos* (non-breeding)¹**
- Oystercatcher, *Haematopus ostralegus* (non-breeding)
- Pochard, *Aythya farina* (non-breeding)
- **Redshank, *Tringa totanus* (non-breeding)¹**
- Ringed plover, *Charadrius hiaticula* (non-breeding)
- **Ruff, *Philomachus pugnax* (non-breeding)¹**
- Sanderling, *Calidris alba* (non-breeding)

¹ Species known to use off-site supporting habitat / functionally linked land (FLL) in the non-breeding season

- Scaup, *Aythya marila* (non-breeding)
- **Shelduck, *Tadorna tadorna* (non-breeding)¹**
- **Teal, *Anas crecca* (non-breeding)¹**
- Turnstone, *Arenaria interpres* (non-breeding)
- **Whimbrel, *Numenius phaeopus* (non-breeding)¹**
- **Wigeon, *Anas Penelope* (non-breeding)¹**

And

b) Species which are not listed on the SPA citation but occur at site levels of more than 1% of the national population according to the most recent Humber Estuary Wetland Bird Survey (WeBS) 5-year average count:

- Green sandpiper, *Tringa ochropus* (non-breeding)
- **Greylag goose, *Anser anser* (non-breeding)¹**
- **Little egret, *Egretta garzetta* (non-breeding)¹**
- **Pink-footed goose, *Anser brachyrhynchus* (non-breeding)¹**
- Shoveler, *Anas clypeata* (non-breeding)
- **Crane, *Grus grus* (non-breeding)¹**

As stated above, the assemblage qualification is subject to change as species' populations change; therefore, the appropriate WeBS data should be considered in any assessment and the above list should be used as a guide only.

It should be noted that some species, such as **Snipe (*Gallinago gallinago*)**, **Jack Snipe (*Lymnocyptes minimus*)** and Water Rail (*Rallus aquaticus*) have known undercounts in the WeBS data. Therefore, high counts of these species should also be considered.

Please note, the advice set out above should be considered when assessing potential impacts on the waterbird assemblage feature. You will also need to consider potential impacts on species which are not considered to be non-breeding waterbirds but are listed on the citation qualifying under article 4.1 and 4.2 of the Directive. These include:

- **Hen harrier, *Circus cyaneus* (non-breeding)¹**
- **Marsh Harrier, *Circus aeruginosus* (breeding)¹**
- Little tern, *Sterna albifrons* (breeding)
- Avocet, *Recurvirostra avosetta* (breeding)
- Bittern, *Botaurus stellaris* (breeding)

The species marked ¹ **in bold text** are known to use off-site supporting habitat / functionally linked land (FLL) (e.g. arable farmland, grassland/pasture, and/or non-estuarine waterbodies) in the non-breeding season and may therefore be the most relevant for assessing potential impacts of a proposed plan/project on birds using FLL associated with the Humber Estuary SPA. However, please note that this list should be used as a guide only; usage may depend on factors such as the habitats available on the site and distance to the Humber Estuary etc. Therefore, assessments of potential impacts on birds using functionally linked land should consider all relevant species and clear justification should be provided if any species are excluded from the assessment.

¹ Species known to use off-site supporting habitat / functionally linked land (FLL) in the non-breeding season

Date: 22 October 2025
Our ref: 529363
Your ref: PA/2025/254



Dean Watson
North Lincolnshire Council
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Electra Way
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T 0300 060 3900

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BY EMAIL ONLY

Dear Dean Watson,

Planning consultation: Hybrid planning permission comprising of outline, with all matters reserved for up to 550 dwellings, a local centre (use Class E), associated landscaping, drainage and other infrastructure works. Full Planning permission for the construction of a new vehicular access off the M181/A1077(M) roundabout, a pedestrian and cycle link to Scotter road, a pumping station, earthworks and off-plot drainage, ecological and associated landscaping and infrastructure works. **Location:** Land East of M181/A1077(M), Burringham, Scunthorpe, DN17 1US

Thank you for your consultation on the above dated 03 October 2025 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

Natural England considers that without appropriate mitigation the application would:

- have an adverse effect on the integrity of the Humber Estuary Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar <https://designatedsites.naturalengland.org.uk/>.
- damage or destroy the interest features for which the Humber Estuary Site of Special Scientific Interest (SSSI) has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- *Mitigation measures for recreational disturbance impacts, as outlined in sections 6, 7 and 8 of your Habitats Regulations Assessment (October 2025). This primarily comprises a financial contribution to a Strategic Access Management and Monitoring Strategy (SAMMS) and delivery of on-site greenspace/open space.*

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 (AMENDED)

Humber Estuary SPA/SAC/Ramsar

Please note that the following advice is based on a draft version of the Habitats Regulations Assessment (HRA) (October 2025) sent to Natural England by the North Lincolnshire Council Natural Environment Policy Specialist on 03 October 2025. **Our advice below is therefore provided based on the understanding that this version of the HRA will be submitted to the planning portal.**

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

Further advice on mitigation - Recreational disturbance

The updated draft HRA appropriate assessment (October 2025) now details additional mitigation measures, following our last full consultation response in March 2025. We consider that following the amendments made, the mitigation measures are now adequate to avoid adverse effects on the integrity of the Humber Estuary designated sites.

The below measures will need to be strictly implemented so that the conclusions of the HRA remain valid. If these measures need to be amended, a new assessment should be undertaken, and Natural England will need to be re-consulted.

The mitigation measures should include, but not be limited to, the following:

- As outlined in section 6.6.2 of the HRA, a financial contribution, per dwelling, to a Strategic Access Management and Monitoring Strategy (SAMMS), to be agreed with Your Authority. This will enable delivery of targeted strategic mitigation measures (outlined in section 6.6.3), and contribution to SAMMS is to be secured through implementation of a Section 106 planning agreement (outlined in section 7.1).
- The provision of greenspace/open space within the red line boundary, as outlined in 6.7.2. We concur with the conclusion in 6.7.5 that, alongside a full contribution to the SAMMS scheme, the provision of the greenspace/open space provides additional assurance that recreational disturbance impacts will be adequately mitigated for.

We note at the time of writing this letter, the SAMMS payment is outlined in the HRA as comprising a per dwelling contribution of £121 and therefore a total of £66,550 for the development. This

however is stipulated with the following: “...the final cost per dwelling may be updated in the required section 106 agreement when the interim SAMMS approach has been agreed by North Lincolnshire Council.” We are aware that the final details of your authority’s SAMMS are currently being worked through in consultation with Natural England. However, at this stage we are able to agree with the SAMMS approach in principle for this development, subject to final amendments, as contribution to the SAMMS will be secured through a Section 106 planning agreement (as confirmed in 8.1.1).

Functionally linked land

The HRA (October 2025) assesses impacts on functionally linked land associated with the Humber Estuary SPA/Ramsar. We consider that likely significant effect cannot be ruled out at the screening stage in this case due to the size of the site, potential habitat suitability for SPA/Ramsar birds, and the bird records returned in the surveys undertaken. We recommend that these survey results and other relevant data should have been considered at the Appropriate Assessment stage of the HRA.

However, based on the information provided, including the passage/wintering bird survey results which show low numbers of SPA species using the site infrequently, we advise that there is sufficient information to conclude there will be no adverse effects on the integrity of the Humber Estuary SPA and Ramsar at the Appropriate Assessment stage.

Although Natural England agree that adverse effect to the Humber Estuary designated sites can be ruled out alone, we also note that the in-combination assessment in Table 1 of the HRA highlights, that for some of the plans/projects, that residual effects after mitigation are not known (e.g.

Lincolnshire Lakes Area Action Plan and Land West of Scotter Road, The Lakes, Scunthorpe). As more bird survey data becomes available for development sites nearby, there is an increasing risk of cumulative loss of functionally linked land across the wider Lincolnshire Lakes allocation area. We therefore advise your authority to consider a strategic approach to assessing in-combination and cumulative impacts. In the absence of complete bird data for the whole allocation, your authority should demonstrate how a precautionary approach is being applied to these assessments.

WILDLIFE AND COUNTRYSIDE ACT 1981 (AMENDED)

Humber Estuary Site of Special Scientific Interest (SSSI)

Our advice regarding the Humber Estuary SSSI coincides with the advice set out above.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England’s advice. You must also allow a further period of 21 days before the operation can commence.

Other advice

Lincolnshire Lakes – Strategic level assessment

Please note that we will write to your authority separately to further detail our recommendations for strategic level assessment regarding the Lincolnshire Lakes Allocation.

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

If you have any queries relating to the advice in this letter, please contact me on laura.tyndall@naturalengland.org.uk.

We would not expect to provide further advice on the discharge of planning conditions or obligations attached to any planning permission.

Should the proposal change, please consult us again.

Yours sincerely

Laura Tyndall

Yorkshire and Northern Lincolnshire Area Team
Natural England

Annex A – Natural England general advice

Protected Landscapes

Paragraph 189 of the [National Planning Policy Framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/policies/national-planning-policy-framework) (NPPF) requires great weight to be given to conserving and enhancing landscape and scenic beauty within Areas of Outstanding Natural Beauty (known as National Landscapes), National Parks, and the Broads and states that the scale and extent of development within all these areas should be limited. Paragraph 190 requires exceptional circumstances to be demonstrated to justify major development within a designated landscape and sets out criteria which should be applied in considering relevant development proposals. Section 245 of the [Levelling-up and Regeneration Act 2023 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2023/12/section/245) places a duty on relevant authorities (including local planning authorities) to seek to further the statutory purposes of a National Park, the Broads or an Area of Outstanding Natural Beauty in England in exercising their functions. This duty also applies to proposals outside the designated area but impacting on its natural beauty.

The local planning authority should carefully consider any impacts on the statutory purposes of protected landscapes and their settings in line with the NPPF, relevant development plan policies and the Section 245 duty. The relevant National Landscape Partnership or Conservation Board may be able to offer advice on the impacts of the proposal on the natural beauty of the area and the aims and objectives of the statutory management plan, as well as environmental enhancement opportunities. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to development and its capacity to accommodate proposed development.

Wider landscapes

Paragraph 187 of the NPPF highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape and Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Guidelines for Landscape and Visual Impact Assessment \(GLVIA3\) - Landscape Institute](https://www.landscapeinstitute.com/guidelines-for-landscape-and-visual-impact-assessment-glvia3/) for further guidance.

Biodiversity duty

Section 40 of the [Natural Environment and Rural Communities Act 2006 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2006/14/section/40) places a duty on the local planning authority to conserve and enhance biodiversity as part of its decision making. We refer you to the [Complying with the biodiversity duty - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/complying-with-the-biodiversity-duty) for further information.

Designated nature conservation sites

Paragraphs 193-195 of the NPPF set out the principles for determining applications impacting on Sites of Special Scientific Interest (SSSI) and habitats sites (Special Areas of Conservation (SACs) and Special Protection Areas (SPAs)). Both the direct and indirect impacts of the development should be considered.

A Habitats Regulations Assessment is needed where a proposal might affect a habitat site (see [Habitats regulations assessments: protecting a European site - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/habitats-regulations-assessments-protecting-a-european-site) and Natural England must be consulted on 'appropriate assessments' (see [Appropriate assessment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/appropriate-assessment) for more information for planning authorities).

Natural England must also be consulted where development is in or likely to affect a SSSI and provides advice on potential impacts on SSSIs either via the [SSSI Impact Risk Zones \(England\) \(arcgis.com\)](https://arcgis.com) or as standard or bespoke consultation responses. Section 28G of the Wildlife and Countryside Act 1981 places a duty on all public bodies to take reasonable steps, consistent with the proper exercise of their functions, to further the conservation and enhancement of the features for which an SSSI has been notified ([Sites of special scientific interest: public body responsibilities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/sites-of-special-scientific-interest-public-body-responsibilities)).

Air Quality

Natural England has produced ['Air pollution and development: advice for local authorities. How to assess sector-specific planning applications that could affect air quality on a protected site'](#). This standing advice is to help planning authorities understand the impact on statutory protected sites from particular developments that emit specific air pollutants. The advice covers emissions of ammonia (NH₃), nitrogen oxides (NO, NO₂ or NO_x), nitrogen deposition, acid deposition and sulphur dioxide (SO₂).

The standing advice is Natural England's formal statutory advice and is a material consideration. It provides decision makers with the information needed to fulfil their statutory duties when making decisions on planning applications with potential air pollution impacts.

Note that this advice cannot be used to assess Nationally Significant Infrastructure Projects (NSIPs) or local plans.

Protected Species

Natural England has produced [Protected species and development: advice for local planning authorities - GOV.UK](#) (standing advice) to help planning authorities understand the impact of particular developments on protected species.

Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances. A protected species licence may be required in certain cases. We refer you to [Wildlife licences: when you need to apply](#) (www.gov.uk) for more information.

Local sites and priority habitats and species

The local planning authority should consider the impacts of the proposed development on any local wildlife or geodiversity site, in line with paragraphs 187, 188 and 192 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity to help nature's recovery. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local environmental records centre, wildlife trust, geoconservation groups or recording societies. Emerging [Local nature recovery strategies - GOV.UK \(\[www.gov.uk\]\(http://www.gov.uk\)\)](#) may also provide further useful information.

Those habitats and species which are of particular importance for nature conservation are included as 'priority habitats and species' in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest on the Magic website or as Local Wildlife Sites. We refer you to [Habitats and species of principal importance in England](#) (gov.uk) for a list of priority habitats and species in England. You should consider priority habitats and species when applying your 'biodiversity duty' to your policy or decision making

Natural England does not routinely hold priority species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. We refer you to the [Brownfield Hub - Buglife](#) for more information and Natural England's [Open Mosaic Habitat \(Draft\) - \[data.gov.uk\]\(http://data.gov.uk\)](#) (Open Mosaic Habitat inventory), which can be used as the starting point for detailed brownfield land assessments.

Biodiversity and wider environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 187(d), 192 and 193. Unless exempt major development (defined in the [National Planning Policy Framework \(\[publishing.service.gov.uk\]\(http://publishing.service.gov.uk\)\)](#) glossary) is required by law to deliver a biodiversity gain of at least 10% from 12 February 2024 and this requirement was extended to minor development from April 2024. For nationally significant infrastructure projects (NSIPs), it is anticipated that the requirement for biodiversity net gain will be implemented from May 2026.

[Biodiversity Net Gain](#) guidance (gov.uk) provides more information on biodiversity net gain and includes a link to the [Biodiversity Net Gain Planning Practice Guidance](#) (gov.uk).

The statutory biodiversity metric should be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. We refer you to [Calculate biodiversity value with the statutory biodiversity metric](#) for more information. For minor development sites, [The Small Sites Metric](#) may be used where these sites meet the criteria to use this Small Sites Metric. This is a simplified version of the statutory biodiversity metric and is designed for use where certain criteria are met.

The mitigation hierarchy as set out in paragraph 193 of the NPPF should be followed to firstly consider what existing habitats within the site can be retained or enhanced. Where on-site measures are not possible, provision off-site will need to be considered.

Where off-site delivery of biodiversity gain is proposed on a special site designated for nature (e.g. a SSSI or habitats site) prior consent or assent may be required from Natural England. More information is available on [Sites of Special Scientific Interest: managing your land](#)

Development also provides opportunities to secure wider biodiversity enhancements and environmental gains, as outlined in the NPPF (paragraphs 8, 77, 109, 125, 187, 188, 192 and 193). Opportunities for enhancement might include incorporating features to support specific species within the design of new buildings such as swift or bat boxes or designing lighting to encourage wildlife.

[The Environmental Benefits from Nature Tool - Beta Test Version - JP038 \(naturalengland.org.uk\)](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside the statutory biodiversity metric.

[Natural environment - GOV.UK \(www.gov.uk\)](#) provides further information on biodiversity net gain, the mitigation hierarchy and wider environmental net gain.

Ancient woodland, ancient and veteran trees

The local planning authority should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 193 of the NPPF. The [Natural England Access to Evidence - Ancient woodlands Map](#) can help to identify ancient woodland. Natural England and the Forestry Commission have produced [Ancient woodland, ancient trees and veteran trees: advice for making planning decisions](#)

[- GOV.UK \(www.gov.uk\)](#) (standing advice) for planning authorities. It should be considered when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 187, 188). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in the [Guide to assessing development proposals on agricultural land - GOV.UK \(www.gov.uk\)](#). [Find open data - data.gov.uk](#) on Agricultural Land Classification or use the information available on [MAGIC \(defra.gov.uk\)](#).

The Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites \(publishing.service.gov.uk\)](#) provides guidance on soil protection, and we recommend its use in the design and construction of development, including any planning conditions. For mineral working and landfilling, we refer you to [Reclaim minerals extraction and landfill sites to agriculture - GOV.UK \(www.gov.uk\)](#), which provides guidance on soil protection for site restoration and aftercare. The [Soils Guidance \(quarrying.org\)](#) provides detailed guidance on soil handling for mineral sites.

Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Green Infrastructure

For evidence-based advice and tools on how to design, deliver and manage green and blue

infrastructure (GI) we refer you to [Green Infrastructure Home \(naturalengland.org.uk\)](https://naturalengland.org.uk) (the Green Infrastructure Framework). GI should create and maintain green liveable places that enable people to experience and connect with nature, and that offer everyone, wherever they live, access to good quality parks, greenspaces, recreational, walking and cycling routes that are inclusive, safe, welcoming, well-managed and accessible for all. GI provision should enhance ecological networks, support ecosystems services and connect as a living network at local, regional and national scales.

Development should be designed to meet the 15 [GI How Principles \(naturalengland.org.uk\)](https://naturalengland.org.uk). The GI Standards can be used to inform the quality, quantity and type of GI to be provided. Major development should have a GI plan including a long-term delivery and management plan. Relevant aspects of local authority GI strategies should be delivered where appropriate.

The [Green Infrastructure Map \(naturalengland.org.uk\)](https://naturalengland.org.uk) and [GI Mapping Analysis \(naturalengland.org.uk\)](https://naturalengland.org.uk) are GI mapping resources that can be used to help assess deficiencies in greenspace provision and identify priority locations for new GI provision.

Access and Recreation:

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths, together with the creation of new footpaths and bridleways should be considered. Links to urban fringe areas should also be explored to strengthen access networks, reduce fragmentation, and promote wider green infrastructure.

Rights of Way, Access land, Coastal access and National Trails:

Paragraphs 105, 185, 187 and 193 of the NPPF highlight the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development.

Consideration should also be given to the potential impacts on any nearby National Trails. We refer you to [Find your perfect trail, and discover the land of myths and legend - National Trails](#) for information including contact details for the National Trail Officer.

The King Charles III England Coast Path (KCIIECP) is a National Trail around the whole of the English Coast. It has an associated coastal margin subject to public access rights. Parts of the KCIIECP are not on Public Rights of Way but are subject to public access rights. Consideration should be given to the impact of any development on the KCIIECP and the benefits of maintaining a continuous coastal route.

Appropriate mitigation measures should be incorporated for any adverse impacts on Rights of Way, Access land, Coastal access, and National Trails.

Further information is set out in the Planning Practice Guidance on the [Natural environment - GOV.UK \(www.gov.uk\)](https://www.gov.uk).

Appendix 5: Information supplied by the applicant

- Recreational Impacts Technical Note

Available at: <https://apps.northlincs.gov.uk/application/pa-2025-254>