

MEMO

**North
Lincolnshire
Council**

To: Chris Clark, Development Management
From: Alicia Morley, Place Planning & Housing
Your Ref: PA/2025/1298
Date: 10 February 2026

Subject: Planning permission for vehicular access and parking
14A Main Street, Worlaby, DN20 0NW

Summary

- Potential for nesting birds in the hedgerow however as retrospective application, the hedgerow has been removed.
- As a pre-commencement deemed condition, Biodiversity Net Gain is out of scope for retrospective applications.
- No further comments.

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

Protected and Priority Species

I have considered this application in accordance with Natural England's standing advice for protected species-
<http://www.naturalengland.org.uk/ourwork/planningtransportlocalgov/spatialplanning/standingadvice/default.aspx>.

The front garden appears to have consisted of some grassland and an established hedgerow. There would have been potential for nesting birds within the hedgerow, however as a retrospective application, the vegetation clearance has already been undertaken, presumably with sensitive working in case of nesting birds.

Biodiversity Enhancement

The National Planning Policy Framework states that:

“187. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils [...]

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

[...]

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans;

[...]

and

“193 d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate..;”

Biodiversity Net Gain (BNG)

Exemptions are conferred by The Biodiversity Gain Requirements (Exemptions) Regulations 2024, but this is not the case for retrospective applications. Technically, the development is out of scope of the current Biodiversity Net Gain regulations since the deemed condition for the pre-commencement provision of a Biodiversity Gain Plan cannot be applied.

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

Alicia Morley
Ecologist

Annex- Ecology and Legal Protection

Bats

All species of bat are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2017 making all species of bat European Protected Species. Details of the legislation can be found at:

Wildlife and Countryside Act

<http://www.legislation.gov.uk/ukpga/1981/69/contents>

The Countryside and Rights of Way Act:

http://www.opsi.gov.uk/acts/acts2000/ukpga_20000037_en_7#pt3-pb8-l1q81

The Conservation of Habitats and Species Regulations 2017:

[The Conservation of Habitats and Species Regulations 2017](http://www.legislation.gov.uk/uksi/2010/20100490/en/1)

[http://www.legislation.gov.uk/uksi/2010/20100490_en_1](http://www.legislation.gov.uk/uksi/2010/20100490/en/1)

Great Crested Newts

The great crested newt is fully protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2017 making it an European Protected Species. Details of the legislation are the same as those for bats (see above).

Nesting birds

It is an offence under Section 1 of the Wildlife and Countryside Act of 1981(WCA 1981) to intentionally take, damage or destroy the nest of any wild bird while it is use or being built. The WCA 1981 also provides that all wild birds and their eggs are protected and cannot be killed or taken except under licence.