Lincolnshire Wildlife Trust

Banovallum House
Manor House Street
Horncastle
LN9 5HF

01507 526667
info@lincstrust.co.uk
www.lincstrust.org.uk

SENT BY EMAIL ONLY TO: planningadvice@sholland.gov.uk

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RESPONSE TO H14-1286-25: Erection of a mixed use commercial site for 11 industrial units & 4 office units at Land off Stephenson Avenue, Pinchbeck, Spalding, Lincolnshire, PE11 3SW

Dear Catherine Sutton,

Lincolnshire Wildlife Trust wishes to **maintain a holding objection** on this development until a valid biodiversity net gain (BNG) assessment has been conducted.

The applicant appears to have some confusion about how BNG is applied to developments. Although the applicant claims that "*the statutory metric is a decision-support tool, not a rigid determinant of planning outcomes*.", the statutory metric is, by definition, a statutory tool required by law, as mandated by the Environment Act 2021. This metric and accompanying site survey should be carried out by a competent person, usually a qualified ecologist, who has experience identifying and conditioning habitats, and making calculations within the metric. In the updated 'Biodiversity Gain Plan', the applicant states that the habitat definitions given by the council BNG ecologist are "*based off historic google earth imagery, which was incorrect and inconsistent*", and that "*Inspectors have repeatedly placed substantial weight on verified site conditions over remote sensing*". However, neither the initial information provided with the application, nor the updated biodiversity gain plan, contain details of a site visit by an ecologist or photographs of the habitats. Until a qualified ecologist has conducted a preliminary ecological appraisal (PEA) of the site, satellite imagery is the only information available to determine the habitats. The applicant claims that the site was cleared following the most recent satellite imagery, dated 18th March 2025, and now should be classified as bare ground. However, government guidance determines that if degradation to the habitat has taken place since 30th January 2020, the habitat conditions prior to this should be taken as the baseline.

The biodiversity gain plan also states that "*Brownfield Sites with Negligible Value Do Not Require Disproportionate Compensation*". The government is currently undergoing a consultation period to determine whether certain brownfield sites should be exempt from BNG requirements. However, until a decision is made on this, BNG continues to be mandatory for brownfield sites. Regardless of this decision, historical satellite imagery available at regular temporal intervals dating back to 1985 shows that the majority of the site has been grass for all of this period, so it is not clear when this site was previously developed.

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The applicant additionally claims that as a gain in hedgerow habitats is achieved, it is not necessary to achieve a gain in area habitat units. However, rule 2 of the metric states that "*Biodiversity unit outputs, for each type of unit, must not be summed, traded, or converted between types. The requirement to deliver at least a 10% net gain applies to each type of unit*." Area habitat and hedgerow units are different types of units, which are calculated separately, and a 10% gain must be achieved in both. The trading rules also apply (rule 1), meaning that depending on the distinctiveness of the habitat, it is often a requirement for the habitat to be replaced with one of the same broad habitat type, or of a higher distinctiveness. Additionally, good condition other neutral grassland is unlikely to be achieved for the small patches of grass illustrated on the proposed habitat map. A 10% gain cannot be achieved with the current plans, so additional offsite units should be purchased to reach the mandatory BNG gain.

The Lincolnshire Wildlife Trust hopes these comments are helpful at this stage and welcomes further discussion relating to the points covered. Please do not hesitate to contact me if you have any queries or need clarification regarding the comments provided.

Yours sincerely,



Louisa Williams
Conservation Officer