

Burrell, Becky

From: De-Ruyck, Chris <Chris.De-Ruyck@e-lindsey.gov.uk>
Sent: 21 September 2026 16:54
To: Niland, Mark; Hill, Grace (ELDC)
Cc: _planningadvice; Atkinson, Nick
Subject: RE: Urgent Consultation Response

[REDACTED]

[REDACTED]

I've updated it in view of the recent phase 2 surveys that you provided in your email and attach it here.

H16-0515-25 - Land at Horseshoe Road Spalding PE11 3JB
Planning Permission - Residential development of 76 dwellings and associated infrastructure

Documents reviewed:

- BNG Statutory Metric
- Preliminary Ecological Appraisal
- BNG Assessment
- Phase 2 Survey Report

Summary: Sufficient information has been provided to determine this application and no further ecological surveys or licenses are required to ensure protected species are not adversely impacted by the development. The authority can also be reasonably confident that the development can achieve 10% BNG, however, the proposed post-development habitat targets and corresponding number of off-site units required to achieve 10% BNG must be finalized and agreed prior to works commencing. At the moment, my view is that the current habitat proposals are not feasible and do not adequately mitigate against the risk of failure, therefore, these should be amended and agreed with the authority as soon as possible to avoid uncertainty and reduce delays when the applicant applies to discharge the gain condition.

In addition, due to the extent and complexity of on-site biodiversity provision, the applicant must submit a habitat management and monitoring plan (HMMP) along with a biodiversity gain plan pre-commencement. Further, to be in line with national guidance, the authority should secure the HMMP and corresponding biodiversity creation/enhancement with a S106 agreement. This is because of the relatively large amounts of significant on-site habitat creation/enhancement proposed, which includes planting and maintaining 80 trees, and establishing areas of “Other Neutral Grassland” habitat in “moderate” condition. This would need to be agreed and signed pre-commencement to discharge the biodiversity gain condition,.

Comments

Ecological Considerations:

- The applicant has provided a thorough Biodiversity Net gain assessment, Biodiversity Net Gain Statutory Metric and Preliminary Ecological report, therefore in my judgement they have provided sufficient ecological data for the application. In addition, the phase 2 report for Great-crested Newts and Water Voles provides a clear indication that the risks of harm to these species will be negligible, and therefore further surveys or licensing will not be required
- We support all mitigation and enhancement recommendations provided within the PEA and phase 2 report for GCN and water voles. However, I argue that the biodiversity provision for bird boxes should be modified and improved to be in line with best practices and current policy. Therefore, we request that the following (or similar) be included as conditions:
 - Vegetation should be cleared outside of the main bird nesting season (March to August inclusive) where possible. If works are justifiably required during the nesting season, then a nesting bird check/habitat inspection should be undertaken prior to work by an suitably experienced ecologist within 24 hours prior to clearance to ensure that there is not nest disturbance within the site. Any active nests discovered during inspections will be protected with a suitable exclusion buffer (of appropriate size to the species) to prevent disturbance and monitored until the nest is no longer active / all chicks have fledged, when the ecologist will provide a sign off for clearance work to continue.
 - No development shall take place until written details are approved by the local planning authority of the model and location of 76 integrated swift bricks (equivalent to a 1:1 ratio, e.g., 2 on every 2nd house, 3 on every 3rd house, etc., and grouped within the development site), to be fully installed prior to completion of the external walls of each building and retained thereafter. A plan for the selection, siting, positioning, and installation should be submitted to, and approved in writing by, the local planning authority. The plan should identify, as a minimum:
 - a) the type of swift bricks to be installed;
 - b) the specific buildings on the development into which boxes are to be installed, shown on appropriate scale drawings;
 - c) the location on each building where boxes are to be installed, shown on appropriate building plans and elevations.

The integral nest box plan should be implemented in accordance with the approved details and all boxes retained in that manner thereafter.

- Informative: Swift bricks should be used unless these are not practical due to the nature of construction, in which case alternative designs of suitable swift boxes should be provided in their place for approval by the local planning authority. These nest bricks provide nesting habitat for a variety of urban dwelling species, including swifts, house sparrows, house martins, and tit species. Masonry-fronted swift bricks can be placed on any elevation, but preferably north or east facing, ideally under shade-casting eaves. Swift bricks and boxes should be installed above 5 metres height where possible, and preferably with a 5 metre clearance between the installed locations and other buildings or obstructions, with entry holes at least 1 metre apart. Where possible, avoid siting them above windows or doors. In larger buildings with multiple occupants, install in clusters of 3-6 in separate locations with entry holes at least 1 metre apart.

BNG Comments

- Overall, the baseline biodiversity assessment and metric calculations appear rigorous, and indicate that at least 1.26 offsite habitat units and 0.27 watercourse units will need to be secured to reach the 10% net gain for this site. However, my view is that the post-development habitat targets are not feasible and do not adequately mitigate against the risks of failing to achieve the proposed targets. Adjusting the metric calculations accordingly to reflect more realistically attainable on-site habitat targets will require greater off-site unit provision to achieve 10% BNG than currently estimated.
- Ideally, the post-development habitat targets should be agreed as early as possible in the planning process to achieve optimal conservation outcomes and avoid uncertainty and delays, however, these details can be finalized post-determination when the applicant is seeking to discharge the biodiversity gain condition pre-commencement. Below, I supply feedback to the applicant justifying my view and explaining how that the post-development habitat targets should be amended.
- The issue lies around the locations and habitat condition targets of “Other Neutral Grassland” in the development plans.
 - There is one section of other neutral grassland (G16) with a habitat target condition of “good”, and we request that this section of grassland be changed to ‘moderate’ due to the negative impacts arising from urban pressures such as: additional footfall; pets (primarily dogs and cats) will impact wildlife, generate physical damage, and potentially introduce invasive species; road traffic may similarly impact wildlife; and herbicide/insecticide use on or nearby may impact plants and insects. In addition, a lack of connectivity and fragmentation/edge effects would also likely reduce the plant, invertebrate, and wildlife populations supported in these areas. Thus, all things being equal, these isolated and relatively small grassland habitats located in urban developments will generally satisfy fewer habitat condition criteria and support less biodiversity than an equivalent habitat located further away from urban impacts and/or in larger contiguous patches. Additionally, many of the impacts listed above cannot be effectively mitigated against through management and will be cumulative over time.
 - The post-development plans also indicate that “other neutral grassland” (ONG) will be planted in some areas where it isn’t feasible/appropriate, and these areas should be recorded as “modified grassland” in moderate condition instead (please see red

circled areas in map below for examples). Other Neutral Grassland requires continued effort to create, monitor, and manage this habitat type over the long term (e.g., possible nutrient reduction measures needed initially, sowing with appropriate species rich mixture, no mowing of these habitat blocks Mar-late July; complete removal of cuttings every one to two years (every year initially), etc., and there will be little room to adjust management regimes to meet the needs of residents over the 30 year period (e.g., demand for short grass amenity spaces, hay fever sufferers, pets, etc.,). In addition, in some places there do not appear to be clear boundaries between the public open space recorded as other neutral grassland and the private gardens/residential curtilage associated with the dwellings, and therefore these should be recorded as modified grassland or vegetated garden, rather than ONG.



Post-development map depicting areas that appear to be recorded as other neutral grassland, but which should be set to modified grassland within the post-development habitat tab of the metric.

Overall, I do not believe that the proposed habitat targets and current post-development BNG metric calculations account for the additional pressures that will impact these areas, and the metric calculations should be amended to better reflect these constraints, and provide some buffer to mitigate the risk against failing to achieve the intended targets. This will correspondingly require the applicants to secure a greater amount of off-site units than currently indicated to achieve the 10% biodiversity requirement.

- Options for purchasing offsite habitats units can be seen below.
 - These will need to be secured pre-commencement and can be achieved via 2 routes:
 1. Bespoke habitat creation/enhancement could be undertaken by the applicants on land they own elsewhere or in agreement with another landowner. To discharge the biodiversity gain condition the applicants would have to secure the appropriate habitat creation/enhancement by either entering a section 106 agreement with the local authority or through undertaking a conservation covenant with a responsible body pre-commencement.
 2. The applicants could purchase the appropriate number of units from an off-site habitat bank and evidence this to the authority pre-commencement. This can be achieved through the applicants contacting an off-site unit provider, aka a habitat bank, (which has biodiversity units registered on the national gain-site registry) to arrange a contract for the applicant to purchase the necessary units from the habitat bank. The habitat bank then notifies the national gain-site register to allocate the specifically referenced units to the applicant. To discharge the general biodiversity gain condition, the applicant provides us with this reference information and evidence of the purchase (e.g. a receipt or copy of the contract with the habitat bank) along with the biodiversity gain plan that they must submit to us pre-commencement. These details are also recorded within a finalized version of the metric submitted with the gain plan. The authority can then independently confirm the unit transfer by checking the unit references against the national gain-site register and then approve the gain plan to discharge the Biodiversity Gain condition.

Conclusion: There has been sufficient evidence provided to determine this application; however, the BNG calculations and post-development habitat proposals require finalizing pre-commencement to determine the number of off-site units required to achieve 10% BNG and discharge the gain condition pre-commencement. In addition, an HMMP is required, which should be secured by s106 agreement to be in line with national guidance due to the extent and relative complexity of on-site habitat provision.

Thank you for your time,

Chris

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