

Phil Eley  
North Kesteven District Council  
Planning Department  
District Council Offices  
Kesteven Street  
Sleaford  
Lincs  
NG34 7EF

21<sup>st</sup> December 2023

**Our Reference** 60468641 231488FUL Old Wood

Dear Phil

**23/1488/FUL Land South Of Old Wood, Skellingthorpe: Review of Ecological Constraints and Opportunities**

<b>Decision Checklist:</b>	
Has an ecology report been submitted?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Is the proposal within or close to any designations?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Request Clarification <input type="checkbox"/>
Is there potential for protected or notable habitats & species?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Uncertain <input type="checkbox"/>
All relevant surveys completed using appropriate methods?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Request Clarification <input type="checkbox"/>
Evidence of protected or notable habitats & species found?	Habitats <input checked="" type="checkbox"/> Species <input checked="" type="checkbox"/> Uncertain <input type="checkbox"/>
Will relevant habitats and/or species be impacted?	Habitats <input checked="" type="checkbox"/> Species <input type="checkbox"/> EPS <input checked="" type="checkbox"/> Uncertain <input checked="" type="checkbox"/>
Are mitigation measures adequate to avoid offences?	Yes <input type="checkbox"/> No <input type="checkbox"/> Uncertain <input checked="" type="checkbox"/>
Is development consistent with objectives for No Net Loss?	Yes <input type="checkbox"/> No <input type="checkbox"/> Uncertain <input checked="" type="checkbox"/>
Have proposals for ecological enhancement been made?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Biodiversity Net Gain (BNG) assessment provided?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Can planning permission be granted subject to appropriate conditions and obligations?</b>	<b>Yes <input type="checkbox"/> No <input type="checkbox"/> Holding objection <input checked="" type="checkbox"/></b>

I understand that this development is a custom-build housing project of less than 0.5ha. On that basis, the development is exempt from Biodiversity Net Gain (BNG) requirements and I make no further comment in relation to this. Ecological enhancement should still be secured in accordance with the relevant planning policy.

General Ecological Considerations

The MAGIC database and Ordnance Survey mapping identifies the site as woodland of a priority habitat type. The ecology report, which is based on survey work in August 2022, clarifies that most of the site contains weedy grassland of relatively low nature conservation interest. However, this is not incompatible with the presence of woodland, as woodlands are not defined by the presence of a closed canopy and they often contain clearings and rides of variable permanence. The general impression of the site from Google Earth, Streetview and the applicant's ecology report is a site set within the context of woodland, with periodic management/lack of management that influences the balance of tree cover over time. Policies S60 and S66 are therefore of potential relevance to determination. It should be agreed with the Tree Officers, who likely will have seen the site firsthand, whether the site should be considered woodland.

No veteran trees would be affected.

The report identifies a great crested newt risk given there are seven ponds within 250m of the site (this being the typical movement distance for this protected species). The presence/absence of this species has not been resolved (but there are desk study records for the surrounding area) and further survey

is advised. The alternate advised approach of District Level Licencing is not valid given this mitigation scheme does not operate within the District or wider Lincolnshire (with the exception of North Lincolnshire).

As noted in the report, if great crested newt is present then an offence could arise from terrestrial habitat loss and/or injury during site clearance. The status of great crested newt could have been resolved through survey work in 2023. It would not be appropriate to determine this application until a more detailed assessment has been made of great crested newt. The applicant should refer to the relevant Standing Advice<sup>1</sup> for further information on the requirements of the planning system.

Other potential species constraints relate to nesting birds and hedgehog. Precautionary working methods would be sufficient to address these, and these can be conditioned or covered by an informative note later. Similarly, conditions can be imposed on external lighting to protect bats.

The site is located within the green infrastructure network (other green/blue space and a strategic green corridor) and a Biodiversity Opportunity Area (BOA)<sup>2</sup>. Therefore, Policies S53, S59 and S61 of the Local Plan apply and need to be considered. There would be a small net loss of habitat within the network to this development.

Where, as here, proposed development overlaps with any BOA ecological network – opportunity for management area, the following development principles should apply:

1. Proposals should avoid development on **Ecological network – opportunity for management areas** where possible.
2. Where this is not possible, the development layout should ensure that connectivity of the network is maintained. This can be achieved through quality design, for example by leaving strategically important habitat in place to create wildlife corridors or the use of green/brown roofing to act as stepping stones between larger areas of habitat; or through the effective creation of new habitat as part of a landscaping scheme which allows for the migration and dispersal of species.
3. Proposals should fulfil onsite net gain requirements through creation and sensitive management of habitats, in a way that will enhance the ecological network either by ensuring connectivity or improving condition.

Whilst BNG does not apply, this does not preclude consideration of the ability to achieve net gain in accordance with the above development principles.

## Ancient Woodland

Whilst the site is not on the Ancient Woodland Inventory (AWI), I think consideration is still needed (linking with my comment above about woodland) as to whether the site and surrounding woodland could be ancient woodland. This area is nested within the historic extent of Old Wood, much of which is known to be ancient woodland, as shown on first edition Ordnance Survey maps<sup>3</sup>. While there have clearly been some losses of woodland over time e.g. to current housing and businesses, the configuration of the woodland remains broadly comparable through time. Without sufficient information to inform assessment I therefore can't discount the potential that the site is within ancient woodland.

Areas of ancient woodland are still being identified in the local area and added to the AWI. A recent planning application for land within the original extent of Old Wood to the south has advised that Natural England plans to add that area to the AWI.

It should be noted that ancient woodland does not have to be closed canopy woodland, as any clearings or rides also contribute to woodland. Similarly, there do not need to be old trees only a continuity of trees over time.

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<sup>1</sup> <https://www.gov.uk/guidance/great-crested-newts-advice-for-making-planning-decisions>

<sup>2</sup>

<https://wlnk.statmap.co.uk/map/Aurora.svc/run?script=%5CShared%20Services%5CJPU%5C5%20Maps%5CLocalPlan%5CJPUAurora.AuroraScript%24&resize=always>

<sup>3</sup> <https://maps.nls.uk/>

Ancient woodland is an irreplaceable habitat subject to specific planning requirements<sup>4</sup>. The district planning authority is required to engage with applicants to “*to make sure that there is enough suitable evidence to make a decision. This may include fieldwork and historic maps*”.

Yours sincerely

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Associate Ecologist  
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<sup>4</sup> <https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions>