

Item 1

Dear Grimsby Town Council Members and Planning Committee,

I understand that you are contemplating the approval of a Recirculatory Inland Aquaculture (RAS) farm in Grimsby. This would be the UK's largest RAS facility, which is an experimental form of factory farm which is shown to have significant risks for both the environment, and animal welfare. I am a Doctoral Fellow studying the ethics of salmon farming, and I am writing to highlight some of the significant risks, and guaranteed disastrous side effects, of conducting this factory farming experiment in your district.

I'm sure you're aware of the many pros and cons of this type of facility, but I'm writing to highlight the particular environmental and welfare concerns that my expertise grants me a strong understanding of.



Tanks in an inland system. Photo: asc-aqua.org

What is RAS, really?

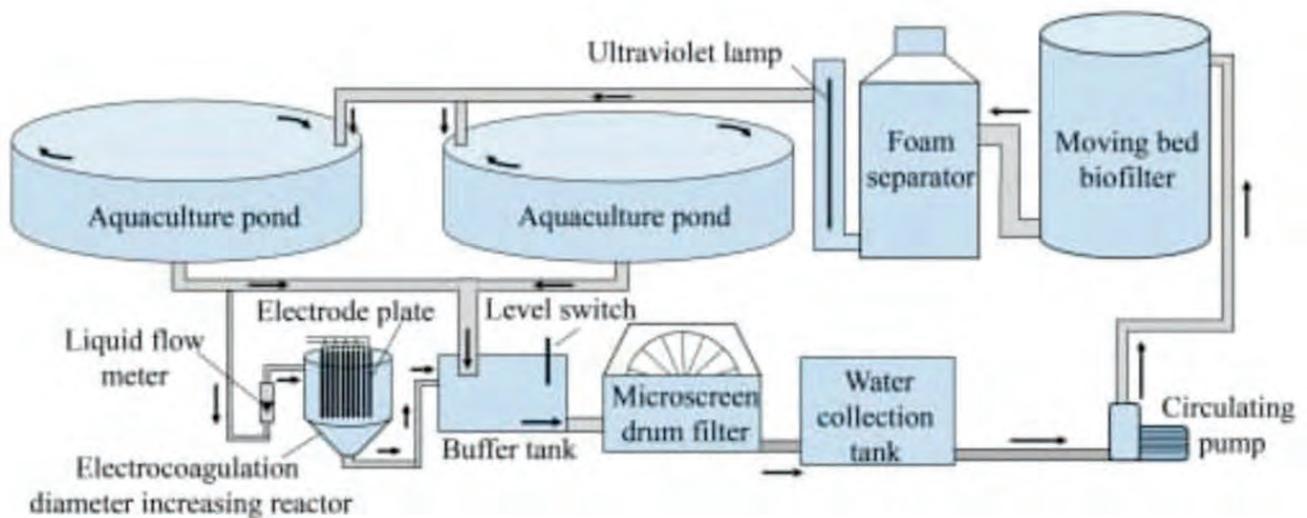
RAS systems are a new kind of factory farm. For the past fifty years, salmon have been grown inland in tanks, and then outwatered for the second half of their lives at sea. RAS systems aim to do the whole process inland, by recreating seawater conditions in tanks.

These facilities require extremely high stocking densities to make the operations profitable. Adult salmon are solitary predators, who range widely and have a strong migration drive. It's currently unknown how they will cope with the highly cramped conditions of a RAS farm.

Citizens have spent so much energy over the past hundred years trying to un-make extant factory farms. It seems wholly contrary to common sense to be licensing new types of factory farms in 2023.

Additionally, maintaining the specific salinity, temperature, chemical balance, and through-flow the salmon require to live is a significant challenge. Large amounts of energy, chemicals, and freshwater are required to maintain the ocean-like conditions of these tanks.

The extremely complex systems used in RAS facilities introduce new potentials for failure and human error, both of which can be catastrophic to the life of the animals within. They are even riskier than sea cages, which for their many flaws, at least are guaranteed to have fresh water flowing through them.



An illustration of the many points of failure in a RAS system. Source: TheFishSite

There are also a large number of other risks in removing salmon from the ocean. Fish quickly foul the water they're in, stripping it of oxygen, and acidifying it with carbon dioxide and ammonia. In order to recirculate the water, these farms require an extremely complicated system of filters, pumps, valves, and generators, each of which has the capacity for failure.

Raising fish in this artificial environment is like placing them on a spaceship, where even the smallest human error or equipment failure can kill every animal onboard.

Case study: Applecross Salmon Hatchery

The Fish Health Inspectorate (FHI) collects mortality data from aquaculture facilities, and here are some UK case studies from extant inland farms. The Applecross salmon hatchery lost 1.5 million fish in August 2022 due to a "dead section in the system" causing hydrogen sulphide to accumulate, quickly killing the fish in acidic water. The same thing happened twice in January of the same year. Two more water quality issues on-site caused a similar stock loss in May 2023. The precise number of animals killed in 2023 isn't known due to spotty record keeping, but it appears to be a total stock loss.

Applecross also has an endemic problem with fungus, which they are not able to effectively clean out of their system. The FHI reports seven mass mortality events due to fungus on this facility in the past 14 months, killing tens of thousands of fish.

Equipment failure and deadly fungus have an ongoing and comorbid relationship at Applecross. The FHI reported that in July this year:

"The site had a malfunction with a chiller unit which lead to improper function of the units biofilters, this along with an issue with the units ozmoregulation lead to a decrease in the site water quality. Poor water quality onsite is then thought to have increased the level of fungus infections within the stocks leading to a significant mortality event."

230,000 fish died due to this malfunction.

Disease

The Applecross case should highlight that these facilities are highly experimental, and mass mortality is the norm. By giving total control over every aspect of the environment to farm operators, RAS systems exponentially increase the catastrophic potential for human error.

I strongly recommend looking through the FHI's mortality data, which contains thousands of instances of mass mortality in closed farming systems.

<https://www.gov.scot/publications/fish-health-inspectorate-mortality-information/>

Industry claims that high-control environments cause disease are patently false. High-control environments lack the resilience of open-air environments. Applecross's fungus issue is a good example of how new factory farming system always include unforeseen health issues. In traditional sea pens - highly problematic in other ways - fungus is less of an issue, because there is near-endless fresh water to clean it out of the system. In RAS systems, with a tiny fraction of the volume of water, as well as lots of nooks and crannies and filters and tubes for the fungus to cultivate in, the fungus which is a tiny issue at sea, becomes a relatively huge issue. Every new farming system comes with unforeseen disease risks. While moving salmon farming inland may solve the sea lice issue, we can guarantee that new diseases will emerge, and be just as disastrous as sea-lice in time.

The reason salmon farms want to move inland is because it will prevent their salmon being exposed to pesticide-resistant sea lice, which is currently the industry-limiting disease.

The industry's hope is that by doing the whole operation under factory conditions, they can control disease. However, as has been abundantly established in other farming environments, there is no truly biosecure factory farm, and other diseases will emerge.

Case study: Shrimp farming

Shrimp farming takes place on-land as well. Despite this, six new diseases have emerged since the farming practice developed, each of which have become industry-limiting diseases, like sea

lice in salmon. Yellowhead virus first emerged in a shrimp farm in the inner gulf of Thailand in 1990 and proved capable of causing 100% mortality in a population within 3-5 days of the first animal showing symptoms. The Thai shrimp farming industry collapsed within the year, with 90% of all farms in the gulf closing as they could not control the virus. Mid Mortality Crop Syndrome is a viral infection which emerged in 1993, and regularly causes 80% stock death in prawn farms. The White Spot Syndrome virus emerged in 1992 and is now endemic in shrimp populations on every continent.



Inland shrimp ponds in Mexico.

Industry has been shown again and again to be incapable of removing disease from high-control environments, and to maintain a biosecure broodstock. If RAS systems were capable of delivering disease-free salmon, there would be no disease on any factory farm on Earth. Instead, disease is rife in these environments. And it will be rife in Grimsby.

An additional challenge for salmon is that they are carnivores, and cannibals. This means that the proliferation of prion-based diseases through their feed is basically guaranteed over a long enough time period (e.g. Mad Cow Disease), and this risk only increases with density. In order to make an inland farm profitable, it will have to be extremely densely packed with animals.

Effluent

Another concern is runoff. The runoff from fish farms is so toxic that a single leak could cause extinction of local wild species, and a severe risk to human health.

One study shows that for every ton of fish farmed creates as much effluent as 80 humans. This means that the 3000 ton farm proposed will quadruple the current effluent of the town of Grimsby. [<https://ncbi.nlm.nih.gov/pmc/articles/PMC3353277/>]

Aquacultured promises a comprehensive filtration system will be installed in its facility, provided by Aquamoaf. However, the Aquamoaf filters they propose are largely untested, only being used in three small commercial facilities, which appear to be in Russia and Slovakia. There is no public log of their performance, failures, or near-misses. Even a single lapse in filtration will dump disease-ridden effluent, rich in nitrogen and phosphates, which will severely disrupt the delicate ecosystem of the Humber Estuary, which is a RAMSAR protected wetland, and designated SAC and SPA environmental protections. There is a well-established link in the literature between salmon farm runoff and erosion of the capacity of coastal ecosystems to support wild populations of wild fish. Even a single lapse of these filters, or an emergency dump of untreated water, would be catastrophic for the delicate local ecosystem. It is an extremely high-risk enterprise to position on an SSSI.

Case study: UK sewage dumping

I'm sure you're aware that the UK is currently undergoing a crisis of unfiltered effluent being dumped into watercourses. Ultimately, these filters are only as good as their enforcement, and local authorities have found themselves completely unequipped to enforce wastewater dumping. Sewage companies are only allowed to dump effluent into waterways in emergency circumstances, but due to infrastructure not being fit for purpose, they have found themselves in emergency situations more than three hundred thousand times last year. We have no reason to believe that this untested, experimental, and demonstrably fragile filtration system is reliable enough to entrust the Humber's biosecurity to.

Summary

My concern is that RAS aquaculture is not capable of delivering on its promises of good food, healthy animals, or an unspoiled environment.

I want to make sure that you're sufficiently informed that any new factory farm, and this counts as a factory farm, generates novel diseases by definition. This site will be rife with disease, and if you allow it you can reasonably expect mass mortality on an unprecedented scale to be taking place both in the facility, and in the wetland environments downriver from it.

Best wishes,
Mark Borthwick
OOCOTP Doctoral Fellow, Salmon Farming

124 City Road · London · EC1V 2NX
020 7993 5348 · info@animalequality.org.uk

animaleQUALITY
UNITED KINGDOM

Democratic Services
Municipal Offices
Town Hall Square
Grimsby
North East Lincolnshire
DN31 1HU

Thursday 23rd November 2023

Dear Councillors and Planning Committee,

I am concerned to learn of reports¹ that the Planning Committee is considering giving the go-ahead to the development proposed by AquaCultured Seafood for the UK's first commercial on-land RAS fish farm. If given the green light, this will certainly make history, but I fear for all of the wrong reasons.

I implore you to consider not only the serious implications for animal welfare - as clearly outlined in the letter submitted to you recently from aquatic animal expert, Mark Borthwick - but also the intense water and energy consumption required for a farm of this type, as well as the high effluent levels that it will produce.

I am especially alarmed that this proposal is being considered by the Committee without an official Environment Risk Assessment having been undertaken. To give this facility the green light without these risks first being identified and mitigated would be wholly irresponsible.

With thanks to leading fish experts, Professor Lynne Sneddon of the University of Gothenburg and expert consultant Mark Borthwick, I share below a number of high and likely risks that could ensue if the building of this proposed farm is permitted.

I am available for consultation. Please contact me urgently about this matter, ahead of the upcoming Committee meeting on 29th November. I urge you to not allow construction of this farm: to permit it would risk long-term harm to animals, the local environment and community, and would needlessly exploit our planet's already dwindling precious resources.

Yours sincerely,



Abigail Penny,
Executive Director, Animal Equality UK
abigailp@animalequality.org.uk

¹ <https://www.insidermedia.com/news/yorkshire/green-light-recommended-for-100m-salmon-farming-facility>

Water consumption

The planning applications² submitted by AquaCultured Seafood request 1000 tonnes of both fresh and salt-water a day, and permission to release as much effluent.

UK laws require that salmon are stocked at a density not more than 25kg/m³. At adult weight (4kg) that's 6.25 salmon per metre. This means that for every salmon, 150kg of water is required just for the fish to be housed, with no flow. This equates to 15% of a human's annual drinking water, assuming a person drinks 1000 liters annually.

This proposed facility is recirculatory (referred to as 'RAS'), but RAS systems still use a lot of water. A study by Interreg³ suggests that water will be lost through water treatment, filtration, fouling, and standard evaporation. 10,000 tonnes of salmon requires 5 million m³ per annum for these losses. The losses alone, therefore, are c. 2330kg of water per fish.

Assuming this proposed farm will work to the same standard as the Dutch facility provided as an example in Interreg, and that everything is working correctly, that would equate to 2480kg of water before you include flow-through: this is 2.5 times what a person drinks in a year. A 4kg salmon contains 2.4kg of flesh in two filets i.e. 1.2kg per fillet. This likely requires 759kg of water per fillet, or 75.9% of a human's drinking water consumption. That's before you include flow-through (see more below).

Biofoulants and effluent production

In flow-through systems, such as the one proposed, flow is usually kept at 0.75-1.25l/s in order to prevent biofouling of the tank and to maximise the health of the fish. For simplicity's sake we assume here that this is 1 m/s.

If salmon are housed in 0.15m³ water each, at that speed the 150kg of water the salmon are housed in will replenish every 2 seconds or so. If the salmon is moving through 3m worth of flowing fresh water, that's as much as a person will drink in a year. If the flow-through tanks use this technology, a salmon could require as much as a person drinks in a year in six seconds. It's difficult to estimate this without knowing more about the layout of the flow-through tank, but it is safe to say that a fillet of RAS salmon will use more freshwater than a human drinks in a year.

There will be a minimum flow-through rate of the tank, beyond which the tank won't be able to self-clean. But the actual operational water requirements of the tank won't be known until the facility is in operation, because it's contingent on biofoulants. A farm of this type will develop a fungi or bacteria which gets caught in the nooks and crannies of the machines, and prevent the tank from being used at a lower flow rate.

2

http://planninganddevelopment.nelincs.gov.uk/online-applications/files/53AFEA2883383EB220657FDE62878B50/pdf/DM_0539_23_FUL-FINAL_PLANNING_STATEMENT_INCL_APPENDICES-1655162.pdf

3

<https://interreg-baltic.eu/project-pilots/pilot-1-treatment-of-ras-water-for-use-as-technical-water/#:~:text=The%20average%20water%20volume%20in,of%20new%20water%20per%20year>

The flow-through water required is likely salt-water, which is not interoperable with human drinking water but equally is not a renewable resource. Biofouling at this scale could significantly impact the biodiversity of the bay.

It is unclear what filtration will be done where the effluent is concerned. The planning application in this instance suggests the waste will be handled as follows:

- *5.119 It is proposed that foul wastewater run-off from the Proposed Development will be discharged to the public sewer network in Wickham Road, to the north west of the application site.*
- *5.125 Waste process water from the production facility will be suitably treated and then discharged back into Grimsby Fish Dock by means of appropriate pumps and a rising main.*

To that end, it appears as though some wastewater will be pumped back into the dock after treatment, and some will go into the sewer network.

To produce 5,000 tonnes of salmon, as requested and planned in this case, at the rates provided by Interreg, AquaCultured Seafood will require 2.5 million tonnes of water. This suggests that the planning proposal significantly under-budgets for water, as it will take 3.5 years to get this much water at the rate being proposed.

Energy consumption

Energy use on RAS farms can range between 2.9kWh/kg fish and 81.48kWh/kg fish⁴, depending on the farm size and type (full recirculation or partial reuse), as well as the rearing stage of the fish, water temperatures and recirculation rates, aeration technologies, solids removal, and waste treatment.

The need for a range of equipment to control water quality makes recirculating aquaculture systems energy-intensive. Compared to other aquaculture systems, RAS is the most energy-intensive method in terms of fish mass produced⁵.

In Life Cycle Assessments (LCA), the energy demand of RAS was found to be 1.4 – 1.8 times higher than in open flow systems. Another comparative LCA study shows that the specific energy demand per unit mass of fish produced in open flow systems was 2.55 kWh/kg, while in RAS it was several times higher at 19.6 kWh/kg.

⁴ <https://www.sciencedirect.com/science/article/abs/pii/S0144860917302327?via%3Dihub>

⁵ <https://aquahoy.com/how-to-estimate-energy-demand-in-a-ras-salmon-farming/>

Supplementary for item 1

Attached further consultation response from Lincolnshire Wildlife Trust raising an ecological matter. Response from Councils Ecologist and applicants attached confirming that this should not restrict development. Raised with Lincolnshire Wildlife Trust and they confirm acceptance of a safeguarding condition.

Additional condition.

Prior to development commencing an up-to-date survey for the Wall Butterfly at the appropriate time of year for both larvae and adult life stages. With a subsequent Habitat Improvement and Mitigation Strategy (including timings for works to be completed) shall be submitted to and approved in writing by the Local Planning Authority. The approved Habitat Improvement and Mitigation Strategy shall be implemented in full accordance with the approved details.

Reason

In the interest of ecological protection in accordance with Policy 41 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018)



23rd November 2023
North East Lincolnshire Council
planning@nelincs.gov.uk

Sent by Email

Dear Mr Limmer,

Application Reference: DM/0539/23/FUL

Site Location: New Clee Sidings, Cleethorpes, North East Lincolnshire

Proposed Development: Erection of an onshore aquaculture farm

Lincolnshire Wildlife Trust [The Trust, hereafter] is a conservation charity in the county with a strategic remit to support conservation of the natural world, lead on the recovery of key habitats and species, and empower local communities to take action for nature. The Trust represents the views of nearly 30,000 members across Lincolnshire.

With reference to yesterday's public announcement that planning officers have recommended the onshore aquaculture farm for approval, The Trust wishes to express in the most significant terms its concern at the recommendation.

NERC Act 2006, Section 41 – Priority Species Omission

Having been approached by the applicant, Trust Officers have been engaged in direct dialogue detailing the concerns of our holding objection. A key component is the omission of a Priority Species where the preliminary ecological desktop study has failed to identify records of Wall butterfly within the site [PEA section 2.47]. Identification of these records should have led to the species inclusion and scoping within the ecological impact report. The Wall butterfly, *Lasiommata megra* has 14 sightings over an extended period from 1897 - 2014 within the area, with 5 directly within the LWS and proposed construction site. We note access to the site has been restricted by the private owner for several years, impairing opportunities for contemporary repeat surveys and potential additional records.

We note this species inclusion on the Priority Species list as it has been subject to significant decline, with an 88% reduction in abundance from 1976 – 2019, and 85% reduction in distribution over 1970 – 2019, making it one of the UK most vulnerable butterfly species. The species has been classified as Endangered since 2021 in the Red List GB Butterflies due to a 70% decline over the past 10 years.

We seek confirmation that having been informed of this omission, the applicant has performed their due diligence and disclosed this issue to the relevant case lead planning officer.

Site Relevance

The habitat preference for the species is detailed as *“dunes and other coastal habitats, as well as disused quarries, derelict land, farm tracks and railway embankments”*. It has specific life history stages which demonstrate a preference for bare open sandy ground and grassland sheltered by rock or hard substrates, aligning with the composition and habitat mosaic of the ABP Wasteland LWS. We note the species exhibits a high site fidelity and low dispersion range, leading to discrete and self-contained colonies.

Banovallum House
Manor House Street
Horncastle
Lincolnshire
LN9 5HF

Tel: 01507 526667
Fax: 01507 525732

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



Lincolnshire Wildlife
Trust is a company
limited by guarantee
registered in
England, no. 461863
and is registered as a
charity, no. 218895
VAT no. 613 9067 44

In cross reference of flowering plants present within the LWS, we note primary larval foodplants for the species include bents [*Agrostis spp*], *Cock's-foot* [*Dactylis glomerata*] and False Brome [*Brachypodium sylvaticum*].

We also refer to the conclusions of Van-Dyck *et al.* 2014¹ who determined that climate change and increasing temperatures in inland areas are influencing Wall butterfly life-cycle events. Where an increasing proportion of third generation broods are emerging in late summer, rather than over-wintering due to sustained temperatures, leading to eventual starvation with the onset of autumn. Notably the decreasing distribution of *Lasiommata megra* is seeing contraction to coastal areas, where cooler temperatures avoid this late summer emergence. Coastal regions are considered the only areas likely to provide long-term sustainable conditions for the species.

Planning Recommendation

We refer to the NERC Act 2006 – Section 40, and Local Authorities Duty to Conserve Biodiversity, stipulating; *“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”*.

The Trust is of the opinion that this Priority Species omission is of significant importance, and would likely influence the determination of the proposed sites suitability.

Without qualification of the sites importance for this Priority Species, and determination whether a discrete coastal colony exists on the site, it is unlikely the Local Authority can make an informed decision in discharging its duty and statutory role regarding biodiversity conservation.

We recommend the planning decision is deferred, and the applicant directed to complete appropriate additional survey works to update and inform an accurate Ecological Assessment.

If you have any queries regarding the above, please do not hesitate to contact me.

Yours sincerely



Dr James Wood

Conservation Officer
Lincolnshire Wildlife Trust
JWood@lincstrust.co.uk

Banovallum House
Manor House Street
Hornecastle
Lincolnshire
LN9 5HF

Tel: 01507 526667
Fax: 01507 525732

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



Lincolnshire Wildlife
Trust is a company
limited by guarantee
registered in
England, no. 461863
and is registered as a
charity, no. 218895
VAT no. 613 9067 44

¹ Van Dyck H, Bonte D, Puls R, Gotthard K and Maes D [2014] The lost generation hypothesis: could climate change drive ectotherms into a development trap. Wiley: Oikos: Vol 124:1:54-61.

Carol Pedersen (EQUANS)

From: Gabriella Bexson <gabriella.bexson@montagu-evans.co.uk>
Sent: 27 November 2023 13:05
To: Richard Limmer (EQUANS)
Cc: Craig Blatchford
Subject: RE: DM/0539/23/FUL - Priority Species Omission URGENT

Hi Richard,

Thank you for sending through the latest response from the LWT on Thursday.

We have now reviewed this with our ecologist and provide the below response.

Desk study records of wall butterfly provided by the record centre were considered within the initial as part of the PEA reporting as part of the over assessment of the site interest for this species group alongside an invertebrate appraisal walkover conducted to support the EclA. Accordingly terrestrial invertebrates were scoped into the EclA as a group feature (including butterflies (Lepidoptera) at Local importance and assessed also as part of the assessment of the effects upon the ABP Wasteland LWS which was assigned as county value.

The EclA assessed the loss of the LWS as a whole, including Section 41 habitats and species it may/does support. There is no specific requirement within the EclA process to specifically assess each designating features/species independently, if features are assessed in combination as part of a designated site/ecosystem/habitat. The measures outlined to address the potential effects upon the ABP Wasteland LWS and the terrestrial invertebrate interest which it supports are committed to via the EclA. Furthermore, an Outline Ecological Mitigation Strategy has been prepared and agreed with inputs from NELC to incorporate measures to enhance habitats retained within the Site including measures to enhance the grassland which will include food larvae plants for Lepidoptera.

The Plan includes commitment to compensatory measures for the loss of the LWS including enhancement of grassland habitat within an off site area of grassland (Area 1 and 2 extending to approximately 2.15 ha) through a 10 year commitment to management measures. This compensation approach is considered to be sufficient to address the loss of LWS grassland and associated species interest, including associate designating features such as its value for terrestrial invertebrates. A detailed ecological mitigation strategy, which will require agreement with NELC and stakeholders at the post determination stage will be secured via a planning condition. There will accordingly be the opportunity to review/update the approach to the on and off site grassland management measures and where possible, to incorporate a greater focus on specific features including the encouragement of larval plants and sparser basking areas favoured by wall butterfly and other terrestrial invertebrate species.

Speak at 3pm.

Regards

Gabriella

GABRIELLA BEXSON
SENIOR PLANNER

Montagu Evans LLP, 70 St Mary Axe, London, EC3A 8BE
m: 07788 427 375 e: gabriella.bexson@montagu-evans.co.uk



 **THINK BEFORE YOU PRINT OR POST. PLEASE CONSIDER THE ENVIRONMENT.**

This e-mail is intended solely for the person to whom it is addressed. It may contain confidential or privileged information. If you have received it in error, please notify the sender immediately and destroy the transmission. You must not copy, distribute or take any action in reliance on it.

BEWARE OF CYBER-CRIME: Our banking details will not change during the course of a transaction. Should you receive a notification which advises a change in our bank account details, it may be fraudulent and you should notify Montagu Evans who will advise you accordingly.

Montagu Evans LLP is a limited liability partnership registered in England and Wales. Registered number OC312072. A list of members' names is available for inspection at the registered office 70 St Mary Axe, London EC3A 8BE.

From: Richard Limmer (EQUANS) <Richard.Limmer@nelincs.gov.uk>
Sent: Thursday, November 23, 2023 2:41 PM
To: Gabriella Bexson <gabriella.bexson@montagu-evans.co.uk>
Subject: FW: DM/0539/23/FUL - Priority Species Omission URGENT

Hi Gabriella

Please see attached... this is a significant concern, please can you review ASAP.

Richard

Richard Limmer MSc URP
Major Projects Planner
Planning and Development Team
Places & Communities North – NEL
Tel. +44 (0) 147 232 4299
Mob. +44 (0) 7766923688

Please note my normal working days are Monday to Thursday.



engie.co.uk

New Oxford House, George Street
Grimsby, North East Lincolnshire, DN31 1HB

From: Planning - IGE (Equans) <planning@nelincs.gov.uk>
Sent: Thursday, November 23, 2023 2:19 PM
To: Richard Limmer (EQUANS) <Richard.Limmer@nelincs.gov.uk>
Subject: FW: DM/0539/23/FUL - Priority Species Omission

Hi Richard,

Would this be added to DMS as a consultee comment?

Thanks
Susanne

Susanne Ellis
Business Support Assistant
Planning
Places & Communities – NEL
Susanne.Ellis1@nelincs.gov.uk



equans.co.uk

New Oxford House, George Street
Grimsby, North East Lincolnshire, DN31 1HB

From: James Wood <jwood@lincstrust.co.uk>
Sent: Thursday, November 23, 2023 10:24 AM
To: Planning - IGE (Equans) <planning@nelincs.gov.uk>
Subject: DM/0539/23/FUL - Priority Species Omission

You don't often get email from jwood@lincstrust.co.uk. [Learn why this is important](#)

Good Morning,

Please find enclosed a letter of correspondence from Lincolnshire Wildlife Trust regarding the public announcement of the planning officer recommendation for approval of DM/0539/23/FUL, Erection of an onshore aquaculture farm.

We refer to direct engagement of The Trust by the applicant, and our identification of the omission of a NERC Act 2006, Section 41 species, identified as present within the proposed development site.

Regards
Dr James Wood
Conservation Officer
Lincolnshire Wildlife Trust

Standard Working Days: Monday - Wednesday
Email: JWood@lincstrust.co.uk





Charity no. 218895. Registered in England no. 461863.
Registered offices: Banovallum House, Manor House Street, Horncastle, Lincolnshire, LN9 5HF.

Are you a member? Join today at www.lincstrust.org.uk

Reduce your environmental footprint, please do not print this email unless you really need to.

North East Lincolnshire Council - This e-mail and any files transmitted with it contains information from North East Lincolnshire Council which may be privileged or confidential. The information is intended solely for the use of the individual(s) or entity named above. If you are not the intended recipient be aware that any processing of this email and its attachments is strictly prohibited. If you have received this e-mail in error, please send it back to us immediately and permanently delete it. Do not use, copy or disclose the information contained in this message or in any attachment. The North East Lincolnshire Council email system, including emails and their content, may be monitored for security reasons and to ensure compliance with council policy. Emails and attachments may be recorded for the effective operation of the organisation and for other lawful business purposes. We cannot guarantee that this email or its attachments are virus free or has not been intercepted and amended. We therefore recommend you carry out your own anti-virus checks before opening any email or attachments. North East Lincolnshire Council will not accept any liability for any errors or omissions in the contents of this email or its attachments, or any damage or loss caused by computer viruses coming from this email or its attachments.

Carol Pedersen (EQUANS)

From: Richard Limmer (EQUANS)
Sent: 28 November 2023 14:49
To: Martin Dixon (EQUANS)
Subject: FW: Aquaculture butterfly final comment
Attachments: Protected species Nov 23.docx

Richard Limmer MSc URP
Major Projects Planner
Planning and Development Team
Places & Communities North – NEL
Tel. +44 (0) 147 232 4299
Mob. +44 (0) 7766923688

Please note my normal working days are Monday to Thursday.



engie.co.uk

New Oxford House, George Street
Grimsby, North East Lincolnshire, DN31 1HB

From: Rachel Graham (NELC) <Rachel.Graham@Nelincs.gov.uk>
Sent: Tuesday, November 28, 2023 2:45 PM
To: Richard Limmer (EQUANS) <Richard.Limmer@nelincs.gov.uk>
Subject: Aquaculture butterfly final comment

Hi.
Please find attached my final comments regarding the LWT concerns.
Thanks
Rachel

Rachel Graham BSc (Hons) Ecology Manager

Environment
North East Lincolnshire Council Doughty Road Depot, Grimsby DN32 0LL
Mobile: 07730014436
Email: Rachel.Graham@nelincs.gov.uk

WWW.nelincs.gov.uk

Protected species, including butterflies, were identified as part of the Preliminary Ecological Appraisal desktop study in the results of the record centre search and terrestrial invertebrates were scoped into the EclA with a recommendation for an invertebrate habitat appraisal.

The site no longer met the LWS composition criteria and doesn't align with the composition and habitat mosaic previously designated as it is no longer present. The majority of habitat is semi-improved neutral grassland in poor to moderate condition.

Mitigation for loss of invertebrate habitat on site is enhancement of the retained grassland for the benefit of invertebrates and maintaining a habitat corridor for connectivity. Offsite mitigation will enhance the adjacent grassland for invertebrates with the aim of attaining LWS standard and designation.

If that a particular species has a low dispersion range and is present, then the mitigation land is ideally placed. It also states that the butterfly prefers railway embankments. The habitat adjacent to the railway line is being retained and enhanced and protected during construction. The aim of the habitat enhancements on-site is to improve their overall biodiversity value, and to increase the provision of ecological niches for species of terrestrial invertebrates and reptiles that may be present. The EclA states *"The retained areas around the perimeter of the Site will provide habitat corridor links to those present in the surrounding area and along the railway line estate corridor and gravelled/sparser ground) to offer dispersal opportunities for invertebrates"*, and *"Grassland within the retained area will be managed sensitively and scattered scrub will be controlled (as part of a commitment within CEMP) to avoid scrub becoming entirely dominant over time. This will also seek to retain diversity in the grassland sward which is of interest to invertebrates."*

The primary larval food plants of bents, cock's-foot and false brome form a frequent and common part of the vegetative community within the coastal area and inland grassland.

If climate change is causing the wall butterfly to have three broods, the last in late summer, instead of overwintering, then this meets with vegetation clearance in winter to avoid bird breeding season.

Although butterflies have been included in the terrestrial invertebrate group, an omission wouldn't have affected the outcome and mitigation. The EclA assessed the impact as moderate adverse (significant) effect, and also identified construction impacts on terrestrial invertebrates, for which mitigation will be incorporated into the CEMP and the final detailed mitigation strategy as conditioned.

Insect - Beetle (Coleoptera) (15 taxa)

Australian Spider Beetle, <i>Pinus rectus</i>	3	1910 - 1910	Non-native
Biscuit Beetle, <i>Stegobium paniceum</i>	3	1910 - 2022	Non-native
Broad-horned Flour Beetle, <i>Gnotocherus cornutus</i>	1	1910 - 1910	Non-native
Churchyard Beetle, <i>Blapt. mucronata</i>	1	1906 - 1906	Non-native
Colorado Beetle, <i>Leptinotarsa decemlineata</i>	2	1947 - 1947	Non-native
Dark Mealworm Beetle, <i>Tenebrio obscurus</i>	1	1913 - 1913	Non-native
Harlequin Ladybird, <i>Harmonia axyridis</i>	5	2009 - 2017	Non-native
Hide Beetle, <i>Dermestes maculatus</i>	1	1907 - 1907	Non-native
Laemostenus complanatus, <i>Laemostenus complanatus</i>	2	1908 - 1908	Non-native
Necklace Ground Beetle, <i>Carabus morilis</i>	2	1900 - 1900	Priority
Pea Beetle, <i>Bracon pisorum</i>	2	1912 - 1912	Non-native
Rice Weevil, <i>Sitophilus oryzae</i>	1	1900 - 1900	Non-native
Rust-red Flour Beetle, <i>Tribolium castaneum</i>	1	1910 - 1910	Non-native
Stag Beetle, <i>Lucanus cervus</i>	1	1888 - 1888	Protected, Priority
Two-spotted Carpet Beetle, <i>Attagenus pello</i>	1	1910 - 1910	Non-native

Insect - Butterfly (3 taxa)

Small Heath, <i>Coenonympha pamphilus</i>	2	1987 - 1990	Priority
Swallowtail, <i>Papilio machaon</i>	1	2022 - 2022	Protected
Wall, <i>Asionyma megera</i>	14	1987 - 2014	Priority

Insect - Moth (23 taxa)

August Thorn, <i>Ennomos quercanaria</i>	1	2003 - 2003	Priority
Beaded Chestnut, <i>Agrochola lychnidis</i>	1	2003 - 2003	Priority
Blood-vein, <i>Timandra comae</i>	1	2003 - 2003	Priority
Buff Ermine, <i>Spilosoma lutea</i>	1	2017 - 2017	Priority
Centre-barred Sallow, <i>Atethmia centraga</i>	2	2003 - 2003	Priority
Cinnabar, <i>Tyria jacobaeae</i>	1	2017 - 2017	Priority
Dot Moth, <i>Melantra persicariae</i>	1	2003 - 2003	Priority
Grey Dagger, <i>Acrania psil</i>	1	2003 - 2003	Priority
Horse-Chestnut Leaf-miner, <i>Cameraria ohrfidelis</i>	1	2009 - 2009	Non-native
Knot Grass, <i>Aronia rumicis</i>	1	2003 - 2003	Priority
Lackey, <i>Malacosoma neustria</i>	2	1996 - 2003	Priority
Large Wainscot, <i>Rhizdra lutea</i>	1	2009 - 2009	Priority
Mouse Moth, <i>Amphipyra tragoopis</i>	1	2003 - 2003	Priority
Rosy Minor, <i>Leptogia lutescens</i>	1	2003 - 2003	Priority

Carol Pedersen (EQUANS)

From: Tammy Smalley <tsmalley@lincstrust.co.uk>
Sent: 28 November 2023 12:12
To: Richard Limmer (EQUANS); Rachel Graham (NELC)
Cc: Martin Dixon (EQUANS)
Subject: RE: DM/0539/23/FUL Land off Salverson Rd - Aquaculture Facility

Hi Richard

Sorry on mobile so no spell check for slight text addition below, so please check it.

I confirm this is acceptable as an additional condition.

Thank you
Tammy

Sent from my Galaxy

----- Original message -----

From: "Richard Limmer (EQUANS)" <Richard.Limmer@nelincs.gov.uk>
Date: 28/11/2023 10:07 (GMT+00:00)
To: Tammy Smalley <tsmalley@lincstrust.co.uk>, "Rachel Graham (NELC)" <Rachel.Graham@Nelincs.gov.uk>
Cc: "Martin Dixon (EQUANS)" <Martin.Dixon@nelincs.gov.uk>
Subject: DM/0539/23/FUL Land off Salverson Rd - Aquaculture Facility

Hi Tammy

Thank you for the call this morning. Following our discussion on the Wall Butterfly matter raised in LWT's latest comments I propose the following condition:

Condition

Prior to development commencing an up-to-date survey for the Wall Butterfly at the appropriate time of year for both larvae and adult life stages. With a subsequent Habitat Improvement and Mitigation Strategy (including timings for works to be completed) shall be submitted to and approved in writing by the Local Planning Authority. The approved Habitat Improvement and Mitigation Strategy shall be implemented in full accordance with the approved details.

This condition would sit alongside the other condition for Habitat Improvement and Management that we have required for the development in regard to the LWS status and further conditions regarding the HRA and mitigation within that. On the basis of the information supplied and proposed conditions can you confirm that this is acceptable?

Many thanks

Richard

Richard Limmer MSc URP

Major Projects Planner

Planning and Development Team

Places & Communities North – NEL

Tel. +44 (0) 147 232 4299

Mob. +44 (0) 7766923688

Please note my normal working days are Monday to Thursday.



engie.co.uk

New Oxford House, George Street
Grimsby, North East Lincolnshire, DN31 1HB

Reduce your environmental footprint, please do not print this email unless you really need to.

North East Lincolnshire Council - This e-mail and any files transmitted with it contains information from North East Lincolnshire Council which may be privileged or confidential. The information is intended solely for the use of the individual(s) or entity named above. If you are not the intended recipient be aware that any processing of this email and its attachments is strictly prohibited. If you have received this e-mail in error, please send it back to us immediately and permanently delete it. Do not use, copy or disclose the information contained in this message or in

any attachment. The North East Lincolnshire Council email system, including emails and their content, may be monitored for security reasons and to ensure compliance with council policy. Emails and attachments may be recorded for the effective operation of the organisation and for other lawful business purposes. We cannot guarantee that this email or its attachments are virus free or has not been intercepted and amended. We therefore recommend you carry out your own anti-virus checks before opening any email or attachments. North East Lincolnshire Council will not accept any liability for any errors or omissions in the contents of this email or its attachments, or any damage or loss caused by computer viruses coming from this email or its attachments.

Item 4

From: [Cllr Ronald Shepherd \(NELC\)](#)
To: [Sophie Pickerden \(NELC\)](#)
Subject: FW: DM/0326/22/FUL Drains
Date: 04 July 2023 16:45:42

-----Original Message-----

From: [REDACTED]
Sent: Tuesday, April 11, 2023 6:29 PM
To: Cllr Ronald Shepherd (NELC) <Ron.Shepherd@nelincs.gov.uk>
Subject: DM/0326/22/FUL Drains

Ron,

301 drains were blocked on 05/04/23, even the drains round the side of the property, worst since living there. The drains were right up to the lid. They called out Homeserve who said you need Anglian water to put a camera down. Metro Rod on behalf of Anglian Water came on 06/04/23 and spent 2 and half hours cleaning the drains. They said the blockage was at 299. There was no blockage past 301 ie 303 up to 309. They were unable to get to the drain cover in 299 back garden. Anglian Water came back on 07/04/23 (turned down the lane) to 299

Regards

[REDACTED]
Sent from my iPhone



Parked on Path blocking Cycle Path



Blocking Cycle Lane at School Leaving Time



Parked At Lane Entrance





Side fence that attaches to boundary fence with Side Lane. This was at back of bungalow as plans show but moved to front of bungalow therefore parking and turning area greatly reduced . Plans are incorrect





Parked on Lane

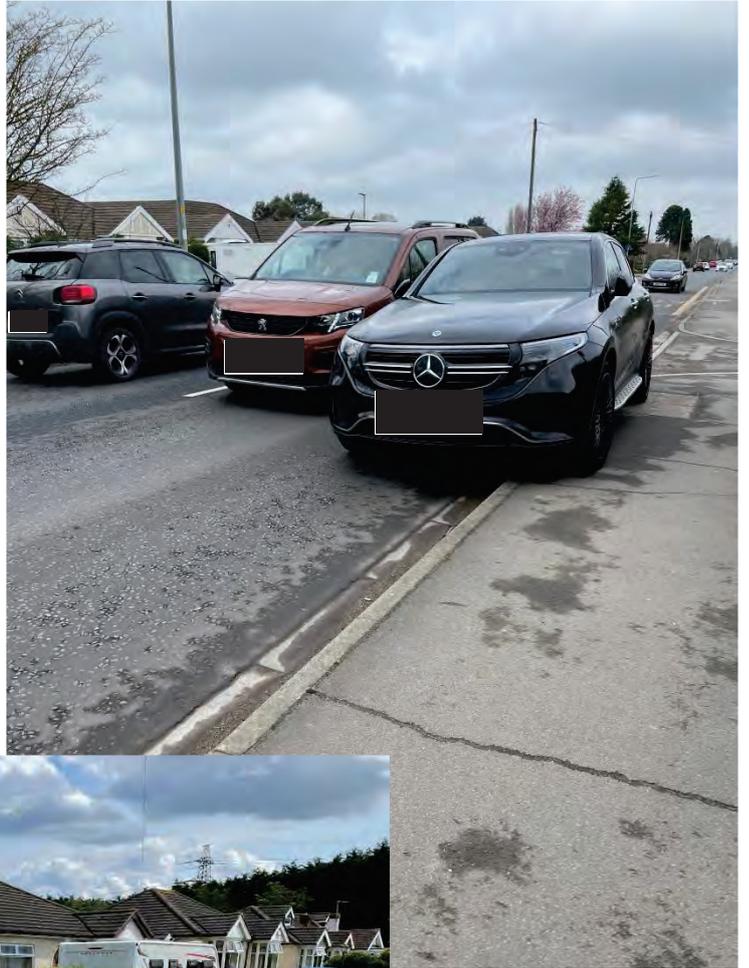


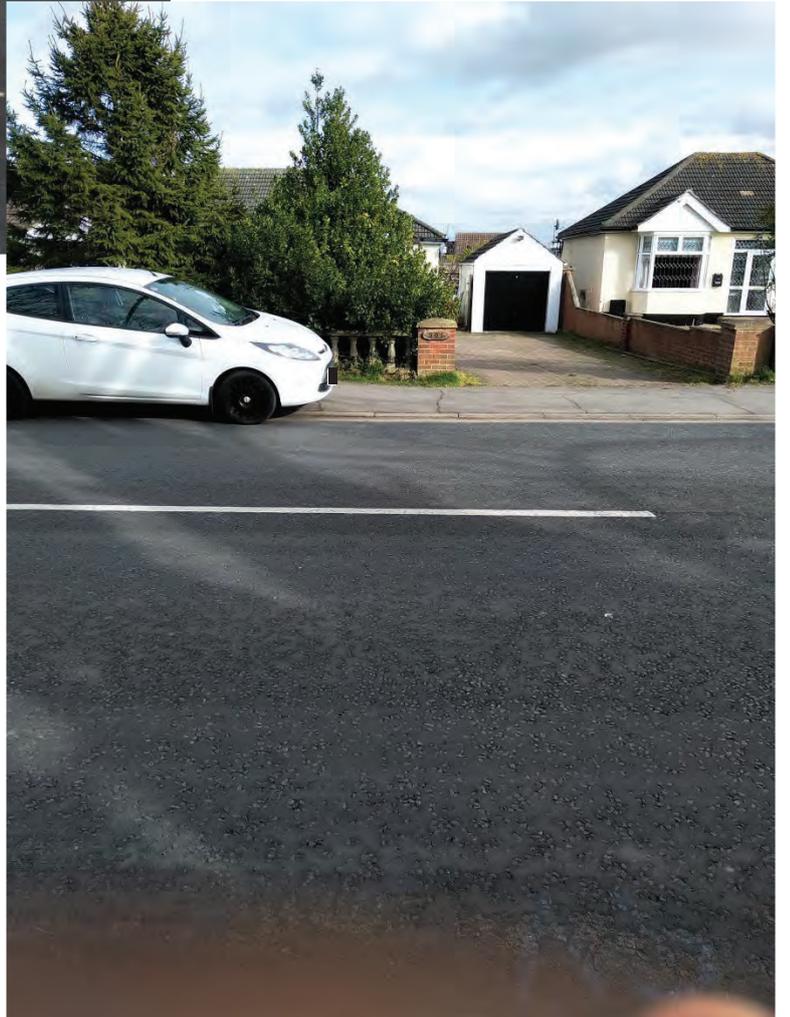
Two client cars parked on drive way and a car came down lane to drop another client off who is using the side gate in the boundary fence of 299 with Side Lane that is not in the plans





Parked on Pavement/Cycle Lane Louth Road





2 Cars Parked on Louth Road





Parking in the Lane



Parked on Pavement On Louth Road





Parked on Louth Road





Parked on Louth Road



1. Amended Condition 2

Condition 2 amended to include the opening hours as specified below.

Condition

The business shall only operate in strict accordance with the supporting statement received 23/05/2023 unless otherwise agreed in writing by the Local Planning Authority. No activities at the premises must take place on Saturdays and Sundays or outside of the hours specified below.

Monday – Friday 10:00 to 17:00

Reason

To protect the amenities of nearby residents and in accordance with Policy 5 of the North East Lincolnshire Local Plan 2013-2023 (adopted 2018).

2. Photos from Neighbour

Photos submitted from a neighbour to the development via Cllr Shepherd. Document containing photos attached separately.











03/11/2023 12:11



























Appeal Decision

Site visit made on 1 November 2022

by **N Teasdale BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6 December 2022

Appeal Ref: APP/B2002/W/22/3298941

Flat 5 – Rear of 11 Rowston Street, Cleethorpes DN35 8QR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
 - The appeal is made by Mr Daniel Ramsden against the decision of North East Lincolnshire Council.
 - The application Ref DM/0038/22/FUL, dated 11 January 2022, was refused by notice dated 31 March 2022.
 - The development proposed is alterations to flat 5, rear of 11 Rowston Street to add additional storey, re clad building with red and vertical board and create new entrance/windows onto Brooklands Avenue with alterations and erection of boundary treatments.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development on the decision notice includes for the removal of an existing container, and I have determined the appeal accordingly.

Main Issues

3. The main issues are:
 - The effect of the proposed development on the character and appearance of the area.
 - The effect of the proposed development on the living conditions of the occupiers of adjacent properties, in relation to outlook, privacy and daylight/sunlight.

Reasons

Character and appearance

4. The appeal site is located within a residential setting to the rear of an existing end-terraced property. The proposed development would front onto Brooklands Avenue which is a very unique and distinctive area as a result of its style, form and arrangement of dwellings. Whilst the properties vary in height, form and roof shape, the properties largely retain their original character which is that of a traditional appearance with a broadly consistent materials pallet. As a result of the distinctive form and character, Brooklands Avenue is read differently from adjacent streets including Segmere Street despite its close proximity.
5. The existing property is modest in size with a simple appearance and is well shielded from views along Brooklands Avenue given the single storey element

and timber fence. Whilst the property has a simplistic appearance, this results in it being relatively discrete, and the proposed development would introduce an additional storey at first floor level which would have a totally modern/contemporary approach in its finish, form and design including materials which would be at odds with/jar with the more simplistic form and features of the host property and character of the area.

6. The dwelling would be highly visible when viewed from Brooklands Avenue including approaching the site along that road as well as approaches from Segmere Street as a result of its increase in height. This, together with the proposed finish, form and design including materials would result in the property appearing overly prominent in comparison to other properties and would be a stark contrast to the more traditional character. A condition relating to the type and final colour of the proposed boarding as suggested would not sufficiently mitigate against such harm nor would further landscaping as it would still introduce a design at odds with the traditional appearance of other properties along Brooklands Avenue.
7. The character of Segmere Street and its contribution to the area is not comparable to Brooklands Avenue as referred to above given its overall distinctive form and character. Therefore, the other scheme referred to is not directly comparable to the one before me.
8. Although a previous permission for 2 dwellings at the site included 2 storey properties, the design and materials more closely reflected the surrounding properties. Therefore, that scheme is materially different to the one before me.
9. I conclude that the proposed development would unacceptably harm the character and appearance of the area. As such, it would be contrary to Policies 5 and 22 of the North East Lincolnshire Local Plan which together, amongst other things, seek to ensure a thorough consideration has been had to a sites context as well as protecting and enhancing character and local distinctiveness. The proposed development would also be contrary to chapter 12 of the National Planning Policy Framework relating to achieving well-designed places.

Living conditions

10. Whilst the appeal site would be visible from adjacent properties, particularly from No. 13C Rowston Street, this would be at an angle given the position of the property and its windows with wide outlook still retained and thus would not cause an unacceptable overbearing impact. The windows located within the rear elevation of the host property No.11 which has been converted into 4 flats would allow for only partial views given the overall position of the property. Such limited views coupled with the separation distance would again not cause an overbearing impact.
11. Two of the proposed rear first floor windows would be obscure glazed serving bathrooms. Given the angle of the proposed bedroom window there would only be angled views towards neighbouring properties and their amenity space.
12. The area between the appeal site and neighbouring properties is the only outdoor amenity space serving these units. However, this area is already overlooked by windows on the existing building. Additionally, windows at No. 13C as well as the flats to the front already face onto this space. The proposed development would not therefore unacceptably increase levels of overlooking

over and above the existing situation or what can be reasonably expected within a residential area. The obscure glazing element and angled position of the proposed window at first floor level would also minimise levels of overlooking.

13. Whilst I am unable to control the existing situation in regard to daylight and sunlight, I am content that the proposed development would not result in an unacceptable harm over and above the existing situation given the overall distance between properties and height and width of the proposed development. There is also no clear evidence to the contrary of the findings of the shadow study complete which I have considered. Consequently, I consider that overall, existing occupiers would not be unduly harmed by daylight and sunlight.
14. I conclude that the proposed development would not harm the living conditions of the occupiers of adjacent properties in relation to outlook, privacy and daylight/sunlight. As such, it would accord with Policy 5 of the North East Lincolnshire Local Plan which, amongst other things, seek to protect neighbouring land uses from visual intrusion.

Other matters

15. There have been no technical objections raised from a number of statutory consultees and the site is located in an accessible location. However, such factors would not be sufficient to outweigh the harm identified taking into account the character and appearance of the area.

Conclusion

16. Although the development does not harm the living conditions of adjacent properties, the proposed development would harm the character and appearance of the surrounding area and would therefore conflict with the development plan when considered as a whole. There are no material considerations, either individually or in combination, that outweighs the identified harm and associated plan conflict. I conclude that the appeal should therefore be dismissed.

N Teasdale

INSPECTOR

Carol Pedersen (EQUANS)

From: Planning - IGE (Equans)
Sent: 28 November 2023 11:49
To: Carol Pedersen (EQUANS)
Subject: FW: planning application DM/0567/23/FUL

Importance: High

Hi Carol

Think this needs to go for supp?

Kind Regards
Angela

Angela Tynan
Business Support Assistant
Planning
Places & Communities – NEL
angela.tynan@nelincs.gov.uk
Tel. 01472 324624



equans.co.uk

New Oxford House, George Street
Grimsby, North East Lincolnshire, DN31 1HB

From: Cllr Graham Reynolds (NELC) <Graham.Reynolds1@nelincs.gov.uk>
Sent: Monday, November 27, 2023 8:46 PM
To: Planning - IGE (Equans) <planning@nelincs.gov.uk>
Cc: Cllr Nick Pettigrew (NELC) <Nick.Pettigrew@Nelincs.gov.uk>
Subject: planning application DM/0567/23/FUL

Good evening,

Please, can this email be passed onto the planning committee, for consideration,

I was invited to a residents meeting regarding the above planning application, there appears to be many residents of Brooklands and Rowston Street, who are objecting to the building planning application DM/0567/23/FUL being heard this coming Wednesday.

I understand that there are substantial written objections to this application already on the planning portal. The build application will impact on so many properties, 24 families on Brooklands 8 families on Rowston Street who are against the building application?

I understand that until recently Anglian Water were objecting, I am told that a new report has been put in by consultants, regarding the possibility of mitigating the possibility of damage to the Victorian sewer system running through the area, I stand to be corrected but the only build currently over the sewer is a small garage, building a detached two-story property is quite a different matter.

I am told, that there are covenants in place, regarding the hedgerows and fencing in Brooklands area, including maintenance agreements paid for by Brooklands residents, to cover maintenance of roads, gardens as well as rotational access restrictions, the build appears to breach the 22-meter rule of builds which will overlook existing properties, I am told the build will impact on the light into existing properties?

If it is the committee's intention to approve the planning application, is it possible to defer the decision until a site visit could be arranged for the planning committee to see for themselves the area and the impact such a build would have a proper overview of the site, as I feel that the plans do not give an accurate picture of the area?

Sincerely

Cllr Graham Reynolds (NELC)

Item 6

From: [Gemma Jackson](#)
To: [Sophie Pickerden \(NELC\)](#)
Cc: [REDACTED]
Subject: FW: DM/0819/23/CEA | Certificate of Lawfulness for proposed use to implement planning application reference DC/871/11/HUM
Date: 27 November 2023 22:08:27
Attachments: [image001.png](#)

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Sophie,

Please see below. This may be the only part of the email chain to Councillor Pettigrew that you are missing.

Thanks,

Gemma.

From: Gemma Jackson
Sent: Monday, November 27, 2023 1:36 PM
To: nick.pettigrew@nelincs.gov.uk
Cc: [REDACTED]
Subject: RE: DM/0819/23/CEA | Certificate of Lawfulness for proposed use to implement planning application reference DC/871/11/HUM

Dear Mr. Pettigrew,

In addition to my previous email, I would like to forward you the information that I have just sent in an email to the Planning Officer in charge of the case, Mr Richard Limmer.

Please see the following:

“Dear Mr. Limmer,

I have been looking through the Ecological Appraisal commissioned by Mr Henderson, the land owner, which was carried out 11 years ago in November 2012.

In the Summary section in part 2 of the report, posted on the planning application webpage (*DC/871/11/HUM | Change of use of land for siting of 44 timber holiday lodges and associated works including means of access and internal road layout. | Land South Of Hewitts Avenue New Waltham North East Lincolnshire* <http://planninganddevelopment.nelincs.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ZZZZVLLJXB775>) it states that the report is valid for 18 months (see attached excerpt)

7.7 The data collected to support the output of this report is valid for 18 months. This report is valid until **February 2015**. After this time, additional surveys need to be undertaken to confirm that the status of the site, for European protected species, has not changed.

I believe this means that there are no valid ecological appraisals in place for the development. Surely this means that carrying out the development would be unlawful?

I look forward to hearing from you.

Best wishes,
Gemma Jackson.”

I hope that you take this into consideration when deciding if the development is “lawful” in the planning

meeting on Wednesday.
With kind regards
Gemma Jackson

From: Gemma Jackson
Sent: Monday, November 27, 2023 12:37 PM
To: nick.pettigrew@nelincs.gov.uk
Cc: [REDACTED]
Subject: DM/0819/23/CEA | Certificate of Lawfulness for proposed use to implement planning application reference DC/871/11/HUM

Dear Mr. Pettigrew,

I am contacting you regarding the proposed development of Peaks Covert woodland as you are the Chair of the Planning Committee for North East Lincolnshire Council. I called you a few moments ago and have left a message on your answering machine. I hope that you return my call and thought an email in the meantime would give you some detail prior to our conversation.

I am acting on behalf of my friend and the owner of Peaks Covert Farm, Margaret Pinchbeck. Margaret is currently receiving hospital treatment and is not able to contact you herself. I have copied her into this email.

Margaret is in the initial stages of developing 2.5 hectares of land at Peaks Covert Farm into a woodland which will adjoin and extend the existing woodland (approx. 2 hectares) on her land at this address. Her existing woodland adjoins the area of land (approx. 3.2 hectares) where the proposed development will be carried out, if the council agrees to this on Wednesday, 29th November.

The land in question constitutes a valuable area of native woodland and adjoins a sizeable existing wood which together are of greater significance to wildlife and the wider environment than if either were to stand alone. With Margaret's plans to double the area of wood on her land, this is a rare opportunity for a sizeable and significant increase in biodiversity in an otherwise wildlife-poor zone. As I am sure you will know, woodlands are scarce in the area and are invaluable in reducing the carbon in the atmosphere, as well as being home to a wide range of wildlife. I cannot find evidence of these facts being considered during the planning application process.

Through her own enquiries, Margaret has found that the previous owner of the land in question, Mr. Boo Parkes, planted the trees himself in the early 1980's. He remembers that the tree planting may have been a condition of sale when a part of his land was sold and where the adjacent car dealerships are now located. He believes there were conditions set out in the sale document relating to future use and is currently finding evidence for this.

Is there any way that we can prevent the removal of this well-established woodland?

It doesn't make sense that concerned and generous citizens such as Margaret can be doing their best to improve the local environment and, just next door, developers are able to destroy the environment for profit.

I look forward to hearing from you before the meeting on Wednesday.

With best wishes,

Gemma Jackson.

From: [Cllr Hayden Dawkins \(NELC\)](#)
To: [Sophie Pickerden \(NELC\)](#)
Subject: Fwd: Proposed development of Peaks Covert woodland
Date: 26 November 2023 17:48:13

Please pass to members of planning

Regards

Councillor Hayden Dawkins
Portfolio Holder for Culture, Heritage and the Visitor Economy.
Humberston and New Waltham Ward councillor

Email: hayden.dawkins@nelincs.gov.uk
Telephone: 07910000682

From: [REDACTED]
Sent: Sunday, November 26, 2023 3:52:22 PM
To: Cllr Hayden Dawkins (NELC) <Hayden.Dawkins@nelincs.gov.uk>
[REDACTED]
Subject: Proposed development of Peaks Covert woodland

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Mr. Hawkins,

I am contacting you regarding the proposed development of Peaks Covert woodland on behalf of my friend and owner of Peaks Covert Farm, Margaret Pinchbeck. Margaret is currently receiving hospital treatment and is not in a position to contact you herself. I have copied her into this email.

Margaret is in the initial stages of developing 2.5 hectares of land at Peaks Covert Farm into a woodland which will adjoin and extend the existing woodland (approx. 2 hectares) on her land at this address. Her existing woodland adjoins the area of land (approx. 3.2 hectares) where the proposed development will be carried out, if the council agrees to this on Wednesday, 29th November.

How this development permission has been allowed to progress so far is beyond my comprehension. The land constitutes a valuable area of native woodland, and as it adjoins a sizeable existing wood, makes it more beneficial to wildlife and the wider environment. As I am sure you will know, woodlands are scarce in the area, and are invaluable in reducing the carbon in the atmosphere, as well as being home to a wide range of wildlife. Neither of these facts seemed to have been considered during the planning application process.

I also understand your issues concerning over intensification of the area and increase in traffic and congestion, both of which would be problematic for local people during the development phase and into the future.

Is there anyway that we can prevent this development?

It doesn't make sense that concerned and generous citizens such as Margaret can be doing their best to improve the local environment and, just next door, developers are able to destroy the environment for profit.

I will call you tomorrow to discuss this matter and see if there is any way that you can help.

With best wishes,

Gemma Jackson.

From: [Gemma Jackson](#)
To: [Cllr Nick Pettigrew \(NELC\)](#)
Cc: [Sophie Pickerden \(NELC\)](#); [Cllr Hayden Dawkins \(NELC\)](#)
Subject: RE: DM/0819/23/CEA | Certificate of Lawfulness for proposed use to implement planning application reference DC/871/11/HUM
Date: 27 November 2023 14:50:36
Attachments: [image001.png](#)
[DC 871 11 HUM-ECOLOGICAL APPRAISAL - PART 2 OF 2-1039761.pdf](#)
[DC 871 11 HUM-ECOLOGICAL APPRAISAL - PART 1 OF 2-1039759.pdf](#)

Dear Mr Pettigrew,

I have attached the documents, downloaded from the planning portal, for your convenience.

Part 2 of the Ecological Appraisal contains the summary, and this is where you will find the survey date (November 2012) which was valid for 18 months. The report states that it was valid until February 2015. Planning permission was granted in August 2015.

Below, I have copied the Summary from the report which contains the relevant information.

7.0 SUMMARY.

- 7.1 In November 2012, Wold Ecology Ltd was commissioned by Sean Henderson to undertake an Ecological Appraisal at Peaks Covert, adjacent to Hewitts Avenue (approximate National Grid Reference TA 29250 06163) in Cleethorpes.
- 7.2 In order to accomplish the brief, a desk top study, consultation and an ecological appraisal field survey was undertaken by Wold Ecology staff.
- 7.3 The ecological appraisal targeted the following species and habitats:
- Bats
 - Great crested newts
 - Badger
 - Nesting birds
 - Reptiles
 - Hedgehog
- 7.4 No further ecological or species specific surveys are recommended.
- 7.5 Any trees and shrubs to be removed should be cleared outside of the bird nesting season (i.e. clearance should be undertaken between September and February inclusive) or be carefully checked by an ecologist to confirm no active nests are present - prior to removal during the summer period. If nesting birds are found during the watching brief, works will need to stop until the young have fledged. Since a number of nests are active, work will need to wait until fledging has occurred, then trees should be removed immediately to avoid other nests being created.
- 7.6 The habitat enhancements described in section 6.0 should be considered in order to enhance the ecological biodiversity potential of the site.
- 7.7 The data collected to support the output of this report is valid for 18 months. This report is valid until **February 2015**. After this time, additional surveys need to be undertaken to confirm that the status of the site, for European protected species, has not changed.
- 7.8 Species list within this report may be forwarded to the local biodiversity records centre to be included on their national database. No personal information will be sent. Please contact Wold Ecology if you do not wish the species accounts and six figure grid references to be shared.

I look forward to hearing from you,
Gemma Jackson.

From: Cllr Nick Pettigrew (NELC) <Nick.Pettigrew@Nelincs.gov.uk>
Sent: Monday, November 27, 2023 2:30 PM
To: Gemma Jackson <gemma.jackson@rawcode.co.uk>
Subject: RE: DM/0819/23/CEA | Certificate of Lawfulness for proposed use to implement planning application reference DC/871/11/HUM

I have had a look at the conditions applied to the planning application but couldn't see one regarding ecology, however I will clarify this with planning officers.

From: Gemma Jackson <[REDACTED]>
Sent: Monday, November 27, 2023 2:20 PM
To: Cllr Nick Pettigrew (NELC) <Nick.Pettigrew@Nelincs.gov.uk>
Cc: [REDACTED]
Subject: RE: DM/0819/23/CEA | Certificate of Lawfulness for proposed use to implement planning application reference DC/871/11/HUM

You don't often get email from [REDACTED] [Learn why this is important](#)

Thank you for your reply, Mr Pettigrew.

I hope that you have seen my latest email to you regarding the expired Ecological Appraisal used when the application was granted.

I assume that not having an Ecological Appraisal in place at the time of planning consent being granted, makes the planning permission unlawful.

Please advise.

Regards,
Gemma Jackson

From: Cllr Nick Pettigrew (NELC) <Nick.Pettigrew@Nelincs.gov.uk>
Sent: Monday, November 27, 2023 2:13 PM
To: Gemma Jackson <[REDACTED]>
Subject: RE: DM/0819/23/CEA | Certificate of Lawfulness for proposed use to implement planning application reference DC/871/11/HUM

Good Afternoon,

Thank you for your email, although I understand your concerns, unfortunately we are not deliberating the merits of the scheme but considering if the planning permission that has already been granted is lawful. We will be looking at the conditions that were applied to the application to see if they have been complied with.

Regards Nick Pettigrew

From: Gemma Jackson <[REDACTED]>
Sent: Monday, November 27, 2023 12:37 PM
To: Cllr Nick Pettigrew (NELC) <Nick.Pettigrew@Nelincs.gov.uk>
Cc: [REDACTED]
Subject: DM/0819/23/CEA | Certificate of Lawfulness for proposed use to implement planning application reference DC/871/11/HUM

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Mr. Pettigrew,

I am contacting you regarding the proposed development of Peaks Covert woodland as you are the Chair of the Planning Committee for North East Lincolnshire Council. I called you a few moments ago and have left a message on your answering machine. I hope that you return my call and thought an email in the meantime would give you some detail prior to our conversation.

I am acting on behalf of my friend and the owner of Peaks Covert Farm, Margaret Pinchbeck. Margaret is currently receiving hospital treatment and is not able to contact you herself. I have copied her into this email.

Margaret is in the initial stages of developing 2.5 hectares of land at Peaks Covert Farm into a woodland which will adjoin and extend the existing woodland (approx. 2 hectares) on her land at this address. Her existing woodland adjoins the area of land (approx. 3.2 hectares) where the proposed development will be carried out, if the council agrees to this on Wednesday, 29th November.

The land in question constitutes a valuable area of native woodland and adjoins a sizeable existing wood which together are of greater significance to wildlife and the wider environment than if either were to stand alone. With Margaret's plans to double the area of wood on her land, this is a rare opportunity for a sizeable and significant increase in biodiversity in an otherwise wildlife-poor zone. As I am sure you will know, woodlands are scarce in the area and are invaluable in reducing the carbon in the atmosphere, as well as being home to a wide range of wildlife. I cannot find evidence of these facts being considered during the planning application process.

Through her own enquiries, Margaret has found that the previous owner of the land in question, Mr. Boo Parkes, planted the trees himself in the early 1980's. He remembers that the tree planting may have been a condition of sale when a part of his land was sold and where the adjacent car dealerships are now located. He believes there were conditions set out in the sale document relating to future use and is currently finding evidence for this.

Is there any way that we can prevent the removal of this well-established woodland?

It doesn't make sense that concerned and generous citizens such as Margaret can be doing their best to improve the local environment and, just next door, developers are able to destroy the environment for profit.

I look forward to hearing from you before the meeting on Wednesday.

With best wishes,

Gemma Jackson.

Reduce your environmental footprint, please do not print this email unless you really need to.

North East Lincolnshire Council - This e-mail and any files transmitted with it contains information from North East Lincolnshire Council which may be privileged or confidential. The information is intended solely for the use of the individual(s) or entity named above. If you are not the intended recipient be aware that any processing of this email and its attachments is strictly prohibited. If you have received this e-mail in error, please send it back to us immediately and permanently delete it. Do not use, copy or disclose the information contained in this message or in any attachment. The North East Lincolnshire Council email system, including emails and their content, may be monitored for security reasons and to ensure compliance with council policy. Emails and attachments may be recorded for the effective operation of the organisation and for other lawful business purposes. We cannot guarantee that this email or its attachments are virus free or has not been intercepted and amended. We therefore recommend you carry out your own anti-virus checks before opening any email or attachments. North East Lincolnshire Council will not accept any liability for any errors or omissions in the contents of this email or its attachments, or any damage or loss caused by computer viruses coming from this email or its attachments.

Reduce your environmental footprint, please do not print this email unless you really need to.

North East Lincolnshire Council - This e-mail and any files transmitted with it contains information from North East Lincolnshire Council which may be privileged or confidential. The information is intended solely for the use of the individual(s) or entity named above. If you are not the intended recipient be aware that any processing of this email and its attachments is strictly prohibited. If you have received this e-mail in error, please send it back to us immediately and permanently delete it. Do not use, copy or disclose the information contained in this message or in any attachment. The North East Lincolnshire Council email system, including emails and their content, may be monitored for security reasons and to ensure compliance with council policy. Emails and attachments may be recorded for the effective operation of the organisation and for other lawful business purposes. We cannot guarantee that this email or its attachments are virus free or has not been intercepted and amended. We therefore recommend you carry out your own anti-virus checks before opening any email or attachments. North East Lincolnshire Council will not accept any liability for any errors or omissions in the contents of this email or its attachments, or any damage or loss caused by computer viruses coming from this email or its attachments.