



Your Ref: TR030001

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22 November 2012

Dear Mr Harris

APPLICATION FOR DEVELOPMENT CONSENT BY ABLE HUMBER PORTS LTD FOR THE PROPOSED ABLE MARINE ENERGY PARK

LINCOLNSHIRE WILDLIFE TRUST UNIQUE REFERENCE NUMBER: 10015513

The Lincolnshire Wildlife Trust registered an objection to this proposed development in its Relevant Representation submitted in March 2012. This objection was explained in more detail in a Written Representation submitted in June 2012. In summary, based on the information submitted, LWT was not satisfied that the compensation and mitigation measures proposed would be sufficient to fully compensate and mitigate for the adverse impacts that would be caused to international, national and locally important habitats and species.

Since the submission of its Relevant Representation and Written Representation the Lincolnshire Wildlife Trust has followed the examination with interest. Unfortunately, the Lincolnshire Wildlife Trust has not had the resources to engage fully in the examination process to assist with the testing of the adequacy of the compensation proposals. We fully support the oral and written representations that have been made by Natural England and the RSPB in this matter.

At the Issue Specific Hearings on 12 and 13 November 2012 it was of considerable concern to the Trust to hear the uncertainties expressed by Natural England, the RSPB and Mr Roger Morris regarding the success of the revised RTE scheme. It would be totally unacceptable to destroy mudflat habitat used by internationally important numbers of black-tailed godwits and significant numbers of other Special Protection Area bird species without certainty that the compensation package will function sufficiently.

The Lincolnshire Wildlife Trust therefore maintains its objection to this development because we expect it to have adverse impacts on the integrity of the international and nationally important Humber Estuary.

With regard to locally important habitats, in particular the development of Station Road Field Local Wildlife Site, the Lincolnshire Wildlife Trust is satisfied that, should the development be consented, compensatory habitat would be provided in Mitigation Area A with the agreement of Natural England, as confirmed by the applicant in paragraphs 17.21 and 17.35 of the document 'Applicant's comments on the Written Representations' dated August 2012:

*17.21 In essence, it is now proposed and agreed with Natural England, that the loss of Station Road Fields will be compensated for within the AMEP Mitigation Area A by managing 3.4ha of the buffer zone as neutral grassland. This secures twice the area lost as compensation.*

*17.35 As noted above, the Applicant recognises the significance of the loss of Station Road Fields LWS, and accordingly proposes to compensate for its loss by provision of neutral grassland habitat within the buffer zone of Mitigation Area A. In accordance with the advice of LWT, the Applicant proposes that this provision should be 3.4ha in extent (twice the area to be lost). The provision and management of this plot of neutral grassland would be secured through the Environmental Mitigation and Management Plan for the site, as required by Provision 2 of Schedule 9 of the revised DCO.*

The draft Environmental Monitoring and Management Plan for terrestrial habitat (EX 11.32) dated October 2012 includes the provision of compensation for the LWS in paragraphs 87 and 88:

*87. The loss of the Station Road Fields Local Wildlife Site will be fully compensated by the provision of an equally sized area of grassland (at least 1.7 ha) planted and managed to compensate the loss of existing neutral grassland and associated hedgerow habitat.*

*88. New neutral grassland will be located to the south of the oil pipeline at the southern boundary of AMEP and as grass field margins around each of the pasture fields. This habitat will be created using a general purpose meadow seed mixture such as Emorsgate EM2 – a meadow mixture that contains species that are characteristic of traditional meadows across a wide range of soil types.*

It should be noted however that the commitment from the applicant to provide 3.4ha of neutral grassland has not been followed through into the draft terrestrial EMMP. LWT still considers that an area of neutral grassland at least double that to be lost (i.e. 3.4ha) should be created and managed to compensate for the loss of the LWS and wishes to see this clarified in a revision to paragraph 87.

The Trust wishes to make a few comments regarding the examination process and the administration of the examination in order to assist with the running of future examinations. It is of significant concern to the Trust that a number of additional documents have been submitted during the course of the examination, meaning that Interested Parties have had limited time in which to consider and respond to the new information. Of particular concern was the submission of the revised Regulated Tidal Exchange (RTE) scheme shortly before the Issue Specific Hearing on the compensation site and only a matter of weeks before the close of the examination.

Regarding the administration of the examination the uploading of documents onto the website for this development has happened in a timely manner which is to be welcomed. However, at times it has been difficult to find certain documents due to the way in which the documents are organised on the website. We would recommend that all documents are clearly labelled with the document subject, document author and the date of the document. If possible, it would greatly assist the user if documents could be listed in date order or by organisation or both. Another thought to make the process easier for Interested Parties would be for there to be a system whereby parties can choose to be notified by email when new documents have been added to the Planning Inspectorate website. Some Local Authorities currently provide this service for planning applications within their area. It is useful as it means that the website does not need to be checked unnecessarily for new documents.

I hope the above comments can be taken into account. Thank you for the opportunity to participate in this examination.

Yours sincerely



Elizabeth Biott  
Conservation Officer