



# Derbyshire Wildlife Trust

Sandy Hill, Main Street,  
Middleton, Matlock, DE4 4LR  
T 01773 881188  
E [enquiries@derbyshirewt.co.uk](mailto:enquiries@derbyshirewt.co.uk)

 @derbywildlife

 Derbyshire Wildlife Trust

Derbyshire Wildlife Trust is registered in  
England and Wales, company number 715675  
and is registered charity number 222212

Planning Applications Manager  
High Peak Borough Council  
Planning Department  
Municipal Buildings  
Glossop  
Derbyshire  
SK13 8AF

**For the attention of Karen Taylor**

Your Ref: HPK/2015/0533  
Our ref: PlanCon348-1

29<sup>th</sup> January 2016

Dear Karen,

**Proposal: proposed development of Three Detached Houses**  
**Location: Shallcross Mill House, Elnor Lane, Whaley Bridge**  
**Application Ref No: HPK/2015/0533**

With reference to the above application, I am responding as the Wildlife Site Officer responsible for work relating to the Service Level Agreement, which the High Peak Borough Council and the Trust have signed.

The following comments are aimed at providing accurate and up to date information on the nature conservation issues associated with the proposed development.

### **Basis for response**

We have checked the site against the Trust's data sets (see Endnote):

We have considered the relevant documents submitted as part of the planning application with particular reference to the following:

- Extended Phase 1 Habitat Survey prepared by Rachel Hacking Ecology (2015)
- Emails from Rachel Hacking 27.01.16

### **Results of assessment**

The Trust is not aware of any nature conservation interest on or adjacent to the site.

The Trust's databases have the following protected species records within 1km of the application site:

Defending wildlife, restoring landscapes,  
inspiring people [www.derbyshirewildlifetrust.org.uk](http://www.derbyshirewildlifetrust.org.uk)

- Badger records 85m north
- Slow-worm 95m north

An extended phase 1 habitat survey, including assessment for protected species was undertaken on 28<sup>th</sup> August 2015. It is not clear from the report if the survey work (tree assessment for bats) was undertaken by a surveyor who holds a Natural England survey licence. The field survey work is not supported by a desk study which would normally be undertaken to highlight the presence of protected species and known bat roosts in the local area as well as highlighting (non)designated sites. I have reviewed our records, and we are not aware of any known bat roosts within 2km of the site; however, Derbyshire Bat Conservation Group may hold additional records.

## **Habitats**

The ecology report identified tall ruderal vegetation, amenity grassland, hard standing, broad-leaved plantation, trees and building. The building will not be affected by the proposed development. It is noted that the key habitats present on site are the woodland and trees.

Although the site plan shows retention of the woodland, the email from Rachel Hacking has detailed "*the only trees recommended for removal are semi-mature or young Goat Willow, Hawthorn, Sycamore and Ash saplings, which lie along the boundaries of the site*".

We advise that all woodland and trees should be retained and incorporated within the development design together with additional hedgerow and tree planting as part of any landscaping scheme. In order to secure the long-term future and management of the woodland and trees we advise that, wherever possible, they should not be incorporated within the curtilage of residential properties but should be located alongside paths, roads or areas of greenspace. Any new landscape planting, including tree planting, should use native species appropriate to the corresponding landscape character area to be of maximum benefit for wildlife.

The survey identified the presence of Himalayan Balsam on the site. Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the local planning authority, detailing the containment, control and removal of Himalayan Balsam on site. The measures shall be carried out strictly in accordance with the approved scheme.

This species are listed on Schedule 9 Part 2 of the Wildlife and Countryside Act (1981) (as amended) and, as such, it is an offence to cause such species to grow. We would therefore advise that prior to the commencement of development, a method statement must be submitted to and approved by the local planning authority detailing the containment, control and removal of Himalayan Balsam on site. The measures shall be carried out strictly in accordance with the approved scheme.

## **Bats**

The ecological assessment did not undertake a desktop survey so information on bats in the locality is missing.

Email from Rachel Hacking stated “*none of the trees surveyed had any potential for a bat roost.*”

In summary, it is likely that the assessment that has been undertaken for bats meets Government guidance within Circular 06/2005 and, as such, sufficient information regarding these protected species has been supplied to enable the Council to make an informed decision in accordance with the guidelines and to discharge its legal obligation to have regard to the requirements of the Habitats Directive.

### **Great Crested Newts and Reptiles**

Previous comments included a pond within 75m south of the site; however, it is understood that the pond was ‘filled in’ in 2009. As discussed with the ecologist and detailed below, Reasonable Avoidance Measures (RAMs) will be implemented to avoid any harm to amphibians (and reptiles).

The presence of scrub habitat on the site is considered suitable to provide reptiles with limited areas for foraging and refuge and the adjacent areas of bare ground with areas for basking. The nearby Randall Carr Brook provides a suitable corridor for dispersal and, in addition, often provides suitable habitat for reptiles. In addition, records of reptile are present in the wider area with the closest record 95m north of the site. However, the ecologist has recommended RAMs will be implemented to avoid harm to any reptiles (and amphibians), and this will include the following actions;

- Grassland and ruderal vegetation areas will be directionally strimmed in two stages to allow any reptiles or amphibians present to move out of the working area naturally. All vegetation will be removed from the working area to prevent potential areas of refuge being created for reptiles or amphibians to shelter in;
- Suitable refugia, for example log or rubble piles, will be dismantled carefully by hand under the supervision of a suitably experience ecologist; and
- Although no compensation measures are statutorily required any development can be seen as an opportunity to increase biodiversity locally. General compensation measures, such as construction of artificial hibernacula could improve habitats on site for use by reptiles and amphibians.

**A condition to this effect should be applied to any approval if granted.**

### **Birds**

The habitats on the site provide suitable nesting opportunities for birds. We would therefore recommend that a condition to secure the following is attached to any consent to ensure that breeding birds are protected from harm:

***“No removal of trees, shrubs or brambles that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds’ nests immediately before the work is commenced and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.”***

## Badgers

The report mentions there are no badgers on site; however badgers are known to be in the wider area closest record 85m north. Badgers are highly mobile animals and can establish new setts as population numbers and dynamics fluctuate over time.

No works which include the creation of trenches or culverts or the presence of pipes shall commence until measures to protect badgers from being trapped in open excavations and/or pipe and culverts are submitted to and approved in writing by the local planning authority. The measures may include:

- a) creation of sloping escape ramps (mammal ladders) for badgers (and other mammals potentially using the site), which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day; and
- b) open pipework greater than 150 mm outside diameter being blanked (capped) off at the end of each working day.

In order to ensure that this issue is reassessed at appropriate intervals we would recommend that a pre-commencement survey is undertaken, prior to any removal of vegetation, earth moving or site preparation occurs. **A condition to this effect should be applied to any approval if granted.**

It is hoped that the information provided is helpful to the Council. If you require any further information or wish to discuss any of the comments made, please do not hesitate to contact me.

Yours sincerely,

Ceridwyn Jennings  
Biodiversity Planning Officer

[c.jennings@derbyshirewt.co.uk](mailto:c.jennings@derbyshirewt.co.uk)

## Endnote:

*Please note that the datasets listed below are those used by DWT to assist us to respond accurately to each planning application we receive. The fact that these datasets are listed should not be taken as evidence of the presence of a particular species or habitat. Where potential impacts on a species or habitat are identified these will be described in full in the text of the letter.*

- ❖ Presence of protected species included on the Derbyshire Protected Species Database 2013. This includes water vole, otter, Atlantic stream crayfish, bat roosts, great crested newt and reptiles.

- ❖ DWT species datasets for UK or local Biodiversity Action Plans Priority species including common toad, birds, fish, mammals, butterflies and moths.
- ❖ DWT badger database.
- ❖ Presence of plant species listed on the Derbyshire Vascular Plant Red Data List (2014).
- ❖ Presence of any statutory or non-statutory sites of ecological interest (SSSIs, Local Wildlife Sites, Regionally Important Geological Sites)
- ❖ Presence of any existing potential Local Wildlife Sites
- ❖ Presence of UK BAP Priority habitat types.
- ❖ Presence of ancient semi-natural woodland.
- ❖ Presence of other stands of woodland (broad-leaved or coniferous)
- ❖ Presence of other areas of semi-improved grassland