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

For the attention of James Stannard

Your Ref: HPK/2023/0182

Our ref: DWTHPK389-4

13th July 2023

Dear James,

Proposal: Application for Removal or Variation of condition 25 in relation to application HPK/2016/0692.

**Location: Land Opposite Alderbrook Day Centre Buxton Road
Chinley**

Application Ref No: HPK/2023/0182

With reference to the above application, I am responding as the Biodiversity Planning 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.

Response

Condition 25 was intended to secure compensation for the loss of onsite habitats, resulting from



development of the site. The condition was accepted at the time of approval, indicating that the requirements and feasibility of the condition had been considered. If it was not considered feasible to compensate for the habitat loss, then this may have had a bearing on the decision.

Removing the condition would mean that High Peak Borough Council would have to accept that a net loss would result from this particular development. This must be considered against relevant local and national planning policy.

As per the details in the application form, at the time of approval the requirements of the NPPF 2012 were less exacting than the current 2021 version and whilst they required impacts on biodiversity to be minimised, they only required net gain 'where possible'.

Policy EQ5 of the Local Plan requires mitigation to avoid no net loss or compensation where impacts cannot be avoided but only when dealing with development on locally designated sites, of which this is not.

However, local policy also states that it will encourage development to include measures to contribute positively to the overall biodiversity of the Plan Area and work with partners to help meet the objectives and targets in the Peak District Biodiversity Action Plan or its successor.

On balance, the Trust would still encourage some level of compensation to be delivered, considering the original intention of the condition and the long-standing principles of the mitigation hierarchy: avoid>mitigate>compensate. We note that the applicant has explored the habitat banking approach with the Environment Bank and Derbyshire Wildlife Trust, however no local habitat banks exist at this time. Keeping in mind the latter points of local policy EQ5, we have identified two other options which could be considered prior to removing the condition:

- 1) we are aware of a Local Nature Reserve, relatively close to the site, in Chinley: Stubbins Park LNR. This site comprises unimproved grassland. It may be possible to make a contribution to either the ongoing management of this site or with a view to extending the site. It would be worth exploring this option to see if suitable mechanisms exist to facilitate this as a means to discharge this condition.
- 2) we are also aware of a local scheme at Sunart Fields in the High Peak which may be able to accept contributions towards habitat creation / enhancement works. This site is further away and we do not know if there are similar habitats on site which could compensate for the grassland to be lost. However, this could be explored by the applicant and their ecologists.

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,

A handwritten signature in black ink, appearing to be 'LDJ' followed by a long horizontal flourish.

Libby Duggan-Jones MBiolSci MCIEEM

Biodiversity Planning Officer

planning@derbyshirewt.co.uk