



Derbyshire
Wildlife Trust

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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/2023/0232

Our ref: DWTHPK698

27/09/2023

Dear James,

Proposal: Demolition of existing dwelling and garage with the creation of 7x new dwellings

Location: Hillside Woolley Bridge Hadfield Glossop

Application Ref No: HPK/2023/0232

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

In relation to the above application we have reviewed the information provided including Preliminary Ecological Appraisal and Potential Roost Assessment Report (Arbtech, July 2023) and the Derbyshire Biological Records Database. The proposals for a development on the site



have the potential to impact an area of grassland, hedgerows and trees. The habitats on site may support bats, breeding birds and foraging mammals such as badgers and hedgehogs.

Recommendations/Conditions

Bats

In line with recommendations in the PEA & PRA report along with current guidance nocturnal bat surveys should be completed on the buildings which have been assessed as having potential to support roosting bats. These surveys should be completed prior to the determination of this planning application and may have already been undertaken.

Paragraph 99 of Circular 06/2005 states *“it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted, otherwise all material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances”*.

If bats are found to be roosting within the structure during the nocturnal surveys then further surveys may be required to classify the status of the roost. A Natural England Bat Mitigation Class Licence may be required in order to carry out any works that involve disturbance to bats or destruction of their resting place.

We will be able to provide further advice and recommend conditions in relation to bats once we have reviewed a copy of the nocturnal survey results.

Lighting

Prior to the installation of lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the LPA to safeguard bats and other nocturnal wildlife. This should provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. Dependent on the scale of proposed lighting, a lux contour plan may be required to demonstrate acceptable levels of light spill to any sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023). Such approved measures will be implemented in full.

Any lighting scheme on site should avoid the introduction of light to the site boundaries including retained boundary trees and hedgerow along the eastern boundary and other adjacent offsite habitats. No light should be introduced within the vicinity of proposed bat and bird boxes which will be provided as biodiversity enhancement including the flight paths to these features.

Breeding birds

Timing of demolition and vegetation clearance should avoid the bird breeding season. The active nests of all wild birds are protected under the Wildlife & Countryside Act 1981 (as amended). An active nest is one being built, containing eggs or chicks, or on which fledged chicks are still dependent. Therefore, no demolition or vegetation clearance work should be undertaken 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. If any active nests are discovered then the nest should be left undisturbed until the birds have fledged with an appropriate buffer surrounding the nest.

Construction Environmental Management Plan

Precautions should be observed during construction works given the low risk to habitats such as hedgerows and mature trees and the potential for presence of wildlife including bats, badgers and hedgehogs. No development shall take place (including demolition, ground works, vegetation clearance and movement of plant, machinery and materials) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction, including the protection of retained hedgerows and trees.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Landscape and Biodiversity Enhancement and Management Plan (LBEMP)

A Landscape and Biodiversity Enhancement and Management Plan (LBEMP) shall be submitted to, and be approved in writing by, the LPA prior to the commencement of the development. The aim of the LBEMP is to provide details for the creation, enhancement and management of habitats as set out in the recommendations within Table 7 in the PEA report (Arbtech, July 2023). It should also provide details and locations of biodiversity enhancement features provided post development. The LBEMP should combine both the ecology and landscape disciplines and shall be suitable to provide to the management body responsible for the site. It shall include the following: -

- a) Description and location of features to be retained, created, enhanced and managed.
- b) Aims and objectives of management.
- c) Appropriate management methods and practices to achieve aims and objectives.
- d) Prescriptions for management actions.
- e) Preparation of a work schedule (including a work plan capable of being rolled forward in perpetuity).
- f) Details of the body or organization responsible for implementation of the plan.
- g) A monitoring schedule to assess the success of the habitat creation and enhancement measures.
- h) Monitoring reports to be sent to the Council at each of the intervals above
- i) A set of remedial measures to be applied if conservation aims and objectives of the plan are not being met.
- j) Detailed habitat enhancements for wildlife, including universal swift nest boxes in line with British Standard 42021:2022 on new structures, bird nest boxes, integrated bat boxes in new dwellings, fencing gaps 130 mm x 130 mm to maintain connectivity for hedgehogs and insect bricks / towers.
- k) Requirement for a statement of compliance upon completion of planting and enhancement works.

The LBEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

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,

Jenny Wheeldon BSc MSc MCIEEM
Biodiversity Planning Support Officer
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Endnote:

Please see our planning pages <https://www.derbyshirewildlifetrust.org.uk/planning> for ecological advice on submitting a planning application, finding an ecological consultant and information on mitigation and enhancement.