

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

For the attention of Rachael Simpkin

Your Ref: HPK/2023/0118

Our ref: DWTHPK693a

16th September 2024

Dear Rachael,

Proposal: Demolition of existing mill outbuildings and conversion/erection of 25no. dwellings with associated car parking, landscaping and highways works.

Location: Land at Hole House Mill, Marple Road, Chisworth, Derbyshire, SK13 5DH

Application Ref No: HPK/2023/0118

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

We previously commented on this application on 27th July 2023 and advised that the following works were required:



- nocturnal bat surveys, based on the recommendations of the Ecological Appraisal (Dunelm Ecology, 2019) which recorded evidence of bats in B1 and high potential for bats in B2.
- updated Biodiversity Impact Assessment report, based on a recent site visit.

Bats

In September 2023, the Trust were made aware that partial demolition had occurred, prior to any bat surveys being undertaken. This was investigated by the LPA and the rural crime team. The Trust advised that works should stop immediately until the required bat surveys had been completed.

A Bat Survey Report (Dunelm Ecology, September 2024) has now been submitted. An update building inspection and three nocturnal surveys were undertaken between May and July 2024. These recorded a single common pipistrelle roost behind a fascia board on the northwest elevation of B1 and a second single common pipistrelle roost within the western gable end verge of B5.

The mitigation measures detailed in the report are considered appropriate, including undertaking works under a Bat Mitigation Class Licence (low impact) and providing replacement roosting opportunities within buildings on site.

BNG

We are unaware if a recent site visit has been carried out to verify the habitat types and conditions used in the Biodiversity Impact Assessment (Rachel Hacking Ecology, 2022). To our knowledge, the assessment was based on the 2019 Ecological Appraisal.

We would particularly seek confirmation of why the woodland does not qualify as a Habitat of Principal Importance and why 'Other woodland, Broadleaved' is used in the metric. Much of the woodland surrounding the mill is listed on the Priority Habitats Inventory. We would also query if wet woodland would be an accurate fit for some areas.

Planting and seeding within existing woodland should be designed sensitively and appropriately. We would query whether the tree choices could be further improved for woodland in this location and whether wildflower seeding of EM1 is the best selection in the north-western woodland. We would also query how appropriate bulb planting is within the woodland. Any enhancement of woodland should utilise native, shade-tolerant species and mixes, appropriate to the local area and ground conditions.

We would add that vegetated gardens should be reflected as such in the metric and that proposed trees within gardens should not be included separately. Currently, a net loss is predicted and we would advise that the BIA is reviewed with the aim of improving the woodland sections and maximising gains on site. Perhaps opportunities could be taken to enhance the Mill Pond, by introducing native aquatic vegetation etc. Once revisions have been made, a copy of the metric should also be submitted with the BIA report.

In conclusion, the following conditions are recommended but an additional LEMP / HMMP condition will also be required, once BNG matters have been agreed. We advise the LPA to ascertain whether offsite measures will be required to achieve a net gain, prior to determination, as these will need to be secured via appropriate legal agreement, such as a 106 Agreement.

Bat Mitigation

The demolition / conversion of Buildings 1 and 5 shall not take place until an appropriate bat licence has been obtained. Confirmation of this shall be submitted to the LPA. Upon receipt of a licence from Natural England / site registration, works shall proceed strictly in accordance with the approved mitigation, which should be based on the proposed measures outlined in the Bat Survey Report (Dunelm Ecology, September 2024) and amended as necessary based on any correspondence with Natural England. Such approved mitigation will be implemented in full in accordance with a timetable of works included within the licence and followed thereafter.

Lighting

Prior to the installation of lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the LPA. This shall be designed to safeguard bat roosting features incorporated within the development, as well as watercourses / waterbodies and retained woodland. 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 lightspill 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.

Construction Environmental Management Plan (CEMP: Biodiversity)

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 be produced by an ecologist, based on recommendations in the Ecological Appraisal (Dunelm Ecology, 2019), and 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.
- 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.

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,

Libby Duggan-Jones MBiolSci MCIEEM
Biodiversity Planning Officer

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.