

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

For the attention of Rachael Simpkin

Your Ref: HPK/2024/0446

Our ref: DWTHPK770

9th January 2025

Dear Rachael,

Proposal: Conversion of existing buildings to form 26 No. residential flats

Location: Adult Education Centre, Spring Bank, New Mills, Derbyshire, SK22 4AZ

Application Ref No: HPK/2024/0446

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

Summary

We advise that sufficient information regarding bats has not been submitted to enable the Local Planning Authority to reach an informed decision in accordance with Circular 06/2005 and to



discharge its duty in respect of the requirements of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. Neither is sufficient information available to avoid impacts to nesting swifts, whose active nests are legally protected by the Wildlife and Countryside Act 1981 (as amended).

Habitats and Species

This application comprises the conversion of the current Adult Education Centre to residential use. The application area is dominated by the building itself, with associated hardstanding. Whilst no ecological report has been undertaken to date, based on a review of online mapping, no semi-natural habitats appear to be present. As such, protected species constraints are limited to the potential for nesting birds and roosting bats within the existing building. No building assessment or survey work for bats or nesting birds appears to have been undertaken to date, however it is evident that the building could be suitable for nesting and roosting. It is of traditional stone construction, with a complex pitched roof. It is located in a prominent, high position, overlooking suitable foraging habitat for bats and birds to the east.

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”*.

We have been made aware of at least one confirmed swift nest site within the application area by Derbyshire Swift Conservation and we note that they have provided comments on the application. The nest site is located within the *“two-storey building to the rear of the main building”*. We have checked our Biological Records Database and a record of a single common pipistrelle bat roost also exists for the Adult Education Centre from 2006.

The plans state that the existing roof will be retained, however it also adds that repairs will be undertaken where required. Skylights are proposed across the roof of the main building and insulation will be added within the roof voids. It appears that the attic of the main building will be partially converted to residential flats, although the current use is unclear.

The extent of works to the roof coverings, eaves and internal roof space should be discussed in detail with a suitably qualified ecologist to determine the likelihood of impacts to roosting bats

and swifts. We advise that a Preliminary Bat Roost Assessment (PBRA) should be undertaken to determine if bats are still using the buildings on site. Whilst a PBRA can be undertaken at any time of year, if nocturnal bat surveys are deemed necessary, these must be undertaken between May and September, in line with survey guidelines (Collins, 2023). All bat survey work must be carried out prior to determination.

In line with the Swift Conservation Trust's response, it is essential that the known swift nest site is clearly located / mapped and that any other nest sites are located on the onsite buildings, prior to any works. This will require swift survey work during the breeding season (between May and July), to inform a Swift Mitigation Strategy to retain all identified nest locations *in situ*. In the first instance, this should comprise retaining the existing features currently used by the birds e.g. existing cavities. Where this is not possible for valid reasons, a swift nest brick / box must be incorporated in the same location. Swifts are faithful to their nest sites and adding new brick or boxes elsewhere on the building may not result in a successful breeding attempt and birds may injure themselves trying to access previous features. This work could be secured via condition but given that bat survey work is also required during May – September, we advise that the swift survey and strategy is undertaken at the same time. This will not only be cost-effective but will also ensure any nesting features can be retained / incorporated at this early stage and can be factored into the design. Furthermore, there will be seasonal restrictions to works in areas of the building where nest sites are present (i.e. no works during the breeding season). Irrespective of nest retention, we would also encourage the addition of nest bricks in line with British Standard BS42021: 2022, to provide an enhancement to the local swift population as per Paragraph 187 (d) of the NPPF 2024. This should be included within the Swift Mitigation Strategy. Useful information on survey and mitigation for swifts can be found at the links provided below¹.

The results of the survey work will inform a lighting strategy for the site, however even without this information we advise that all external lighting fixtures should comprise downlighters, with no upwards facing illumination. They should utilise PIR sensors to ensure that lighting is only on when required. We do not advocate for the use of 'dusk til dawn' style lighting, which operate all night and switch off in the morning. The lighting strategy could be agreed prior to determination or secured via condition.

¹ <https://www.swift-conservation.org/MakingHomesForSwifts.htm>
<https://www.swift-conservation.org/Re-Roofing.htm>
<https://sheffieldswiftnetwork.org/ive-spotted-a-swift-nest/>
<https://www.bristolswifts.co.uk/bristol-swift-nests/>

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The application is anticipated to be exempt from mandatory 10% net gain under the de-minimis exemption, due to the absence of semi-natural habitats on site.

Once the required survey and assessment works have been completed, we can recommend suitable condition wording.

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.