



Derbyshire
Wildlife Trust

Sandy Hill, Main Street,
Middleton, Derbyshire, DE4 4LR
T 01773 881188
E enquiries@derbyshirewt.co.uk

www.derbyshirewildlifetrust.org.uk

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England and Wales, company number 715675
Charity number 222212
VAT number 509 4825 32

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

For the attention of Declan Cleary

Your Ref: HPK/2024/0141

Our ref: DWTHPK765

20th January 2025

Dear Declan,

Proposal: New Storage Workshop unit for use ancillary to existing industrial processes on site.

Location: Railway Stables Surrey Street

Application Ref No: HPK/2024/0141

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 nature conservation issues associated with the proposed development.

Response

I have reviewed DWT's data and evidence information and the following documents: -

- Biodiversity Net Gain Assessment (Enviropass, December 2024)
- Design and Access Statement



Impacts

The proposed development does not affect any statutory or non-statutory designated nature conservation sites. There are no potential Local Wildlife Sites associated with this land or immediately adjacent. There are no irreplaceable habitats present on-site.

The development site does support small areas of broad-leaved woodland (0.143 ha), urban trees (0.0366 ha) and vacant or derelict land (0.019 ha). The rest of the site is reported to be developed land.

The development will encroach into woodland habitat resulting in the loss of 0.005 ha. This represents a 2.22% net loss overall. There are no impacts on hedgerows or other linear features.

The potential impact of the development on protected species does not appear to have been considered by the applicant.

Proposed measures to address the impacts

The BNG Assessment has put forward hypothetical options for addressing the biodiversity impacts and for the delivery of a 10% net gain. Options include a theoretical off-site proposal involving creation of 0.05 ha of moderate condition broadleaf woodland on arable cereal land. This would result in a gain of 12.67%.

To achieve a gain for hedgerows a theoretical off-site proposal is included in the metric, involving planting of 0.015 km of moderate condition species-rich native hedgerow. This would result in an overall gain of 12.55%.

Alternatively, the applicant could purchase the required units from a nearby habitat bank.

The BNG Assessment does not include any on-site mitigation or compensation measures as part of the metric.

Outstanding matters

There has been no assessment of the impact of the development on protected species. As areas of woodland and trees will be removed there is a risk to bats, badger and possibly other protected species. We would normally expect to see a Preliminary Ecological Appraisal that assesses the need for targeted species surveys and includes those as necessary.

The biodiversity metric should be provided to the Council. Without this we cannot fully review the metric information.

Conclusions and recommendations

The proposed development has a relatively minor adverse impact on habitats due to the loss of a small area of broad-leaved woodland. However, a detailed plan for how to deliver 10% net gain has not been provided. Instead, hypothetical scenarios or options are presented to address the loss including off-site habitat creation or purchase of biodiversity units. No information is provided on the location or ownership of any off-site location for the creation of the woodland.

The application does not appear to have applied the mitigation hierarchy and sought opportunities to deliver on-site habitat creation and / or enhancement. It is not clear why some gains cannot be delivered on-site.

If biodiversity gains are going to be provided off-site the Council is advised to secure these through a legal agreement. Clearly this is difficult to do if the details of the off-site are not available. If biodiversity units are going to be purchased confirmation of this will need to be agreed.

The impact of the development on protected species has not been assessed and in line with current guidance the Council cannot determine the application. Please note that all necessary surveys for protected species should be undertaken prior to the determination of a planning application.

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”*.

The Council is therefore advised to request the following:

- An ecological assessment of whether the impact on the woodland and any other habitats on-site will impact protected species, especially (but not necessarily limited to) bats and badger.

- A copy of the metric (in Excel format) so that all the details are transparent and can be assessed in full.
- Confirmation of the intention to purchase biodiversity units and / or details of the off-site location and the owner of the off-site land.

Once this information is available it should be possible to advise on any conditions required in relation to protected species and the delivery of mandatory biodiversity net gain. If you require any further information or wish to discuss any of the comments made, please do not hesitate to contact me.

Yours sincerely,

Kieron Huston MCIEEM
Hed of Biodiversity Planning
planning@derbyshirewt.co.uk