

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

For the attention of James Stannard

Your Ref: HPK/2024/0290

Our ref: DWTHPK738c

29th September 2025

Dear James,

Proposal: New Industrial Storage Unit (B8) on land at Bowden Hey Road including associated earthworks, hardstandings, landscaping and provision of future Phase 2 plot

Location: Land Off Bowden Hey Road Chapel-En-Le-Frith

Application Ref No: HPK/2024/0290

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

Further to our response dated 9th December 2024, confirmation has been provided by the applicant¹ that they no longer wish to gain approval for any ongoing phases of development and that the remainder of the land outside the curtilage of the new industrial unit can be used to

¹ Letter from Bowker Sadler dated 2nd April 2025.



deliver biodiversity net gains. This addresses Point 1 as set out in our previous letter, which advised that there is a legal requirement for all significant onsite gains to be secured, managed and monitored for at least 30 years.

No new metric has been submitted, therefore we understand that the intention is still to remove all existing habitat. In Point 2 of our previous letter, we stated that no justification for this habitat loss had been provided to demonstrate consideration of the BNG hierarchy. Justification was subsequently provided in an email from Bowker Sadler dated 15/01/2025, which stated that development of this site would require significant cut and fill, leading to up to 300 truckloads of spoil being taken off site. The preferred approach would be to spread this spoil across the site, which would avoid the transport of spoil but lead to the loss of onsite habitats. The LPA should ensure that they are satisfied with this justification and that impacts have been minimised as far as practicable.

Previous surveys have identified the existing grassland to be of borderline Local Wildlife Site (LWS) quality and any scheme should aim to avoid or minimise impacts as part of its design. Where this is not feasible, impacts should be mitigated and then compensated for. Bowker Sadler states that onsite habitat losses would be mitigated for through the creation of other neutral grassland in 'good' condition within the remainder of the site. This is reflected in the post-development habitat creation tab of the metric, alongside the proposed building, hardstanding and some limited scrub and tree planting.

Even with good condition other neutral grassland being created onsite, the metric (dated 12th June 2024) currently predicts a net loss of -1.67 habitat units (8.01%). Therefore, it should be carefully considered whether any habitat retention is possible to further reduce losses and/or whether it is feasible to create grassland of higher distinctiveness on site. We advise that consideration should be given to whether any areas at all can be retained and protected during cut and fill operations and whether turves could be translocated from higher value areas, such as where the orchids and ragged robin were recorded.

Offsite units will be required to offset any residual losses and reach at least 10% gains. It should be confirmed whether these are likely to be purchased from a Habitat Bank. Any offsite units must be accounted for in the post-determination Gain Plan and allocated on the Gain Sites Register.

Given that no irreplaceable or high distinctiveness habitats are present and that a significant onsite area will be set aside for biodiversity net gain, we advise that proposals could be considered acceptable, providing 10% gains are delivered overall.

Should the LPA be minded to approve the application, the following would be required:

- a clear plan should be submitted which shows the curtilage of the developed area and the remainder of the site that will be used to deliver BNG. We understand that this will include the far north-eastern area which lies outside the development allocation but within the boundary of the site.
- a detailed Landscaping Strategy to ensure the BNG area is designed and created in accordance with the metric targets, maximising biodiversity whilst creating habitat appropriate to the local area. The spread of spoil across the site should be done in a way that enables damp hollows and marshy grassland to be re-created and it is advised that the project ecologist and landscape architect have input into this element of the scheme.
- a Habitat Management and Monitoring Plan setting out management prescriptions and monitoring requirements for a minimum 30-year period.
- purchase of offsite units to reach at least 10%, once reasonable onsite gains have been maximised.
- Section 106 Agreement to secure significant onsite gains.

The discrepancy in total site area which we previously highlighted still remains in the metric and should be rectified when the post-determination statutory Gain Plan and final metric are submitted. We advise that the following conditions are attached to any permission:

Landscape Strategy

Appropriately worded landscaping condition to ensure effective design of the BNG area and delivery of BNG targets, as per the approved metric.

HMMP

A Habitat Management and Monitoring Plan (HMMP) shall be submitted to, and be approved in writing by, the LPA prior to the commencement of the development. If the standard HMMP template is not used, the HMMP checklist shall be consulted to ensure all appropriate information is included. The HMMP shall identify the habitats to be retained, created and / or enhanced on the site over the 30-year period and specify the appropriate management prescriptions to secure the predicted condition targets, as per the approved biodiversity metric for the application. The HMMP shall also set out a monitoring schedule to ensure targets are met and remedial actions to take if not. Guidance on producing a HMMP can be found here:

<https://www.gov.uk/guidance/creating-a-habitat-management-and-monitoring-plan-for-biodiversity-net-gain>

Construction Environmental Management Plan (CEMP: Biodiversity)

No development shall take place (including 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 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.

Species Enhancement Plan

Prior to building works commencing above foundation level, a Species Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall clearly

show positions, specifications and numbers of features, which will include (but are not limited to) bat boxes, bird boxes and habitat piles. Approved measures shall be implemented in full and maintained thereafter. A statement of good practice including photographs should be submitted to the local planning authority prior to fully discharging this condition, demonstrating that the enhancements have been selected and installed in accordance with the above.

Lighting

Prior to the installation of lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the LPA to minimise lightspill to surrounding habitats and 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 lightspill to any sensitive ecological zones/features. The Strategy should refer to Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023) and explain how proposals have been designed in compliance with this document. Such approved measures will be implemented in full.

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,

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Libby Duggan-Jones MBiolSci MCIEEM
Biodiversity Planning Officer