Derbyshire Wildlife Trust

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Derbyshire Wildlife Trust is registered in England and Wales, company number 715675
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Derek Stafford
Assistant Director of Planning & Regeneration
Amber Valley Borough Council
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For the attention of Anne Arkle

Your Ref: AVA/2022/0461
Our ref: DWTAVA1675a

19/12/2022

Dear Anne

Proposal: Proposed replacement of existing Garage, Storage Container and Animal Shelter with new Agricultural Storage Building.

Location: Land At Over Lane Over Lane Hazelwood Belper Derbyshire

Application Ref No: AVA/2022/0461

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 Amber Valley 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.

Bats

The application involves the demolition of the existing buildings which have been assessed for the potential to be used by roosting bats. We have reviewed the Ecology Scoping Report (The Ecology



Surveyor, November 2022) and are satisfied with the conclusion that the buildings do not require any further surveys for bats prior to determining the application.

However, as bats are transient in nature and as specified in the report it is recommended that the demolition of the buildings should proceed with caution. In the unlikely event that a bat is found during the removal of the buildings, works should stop immediately and a suitably qualified bat ecologist consulted for further advice.

Breeding Birds

The buildings and vegetation on site may have potential to support nesting birds. 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 work or vegetation clearance 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.

Method Statement for Site Clearance

Due to the low risk of great crested newts, hedgehogs and reptiles being present, a Method Statement for site clearance should be produced and submitted to the LPA for approval. This shall include reasonable avoidance measures such as seasonal timings, strategic clearance of vegetation, dismantling by hand of any potential refugia, and a watching brief. It shall also include instructions in the unlikely event that these species are encountered. The approved Method Statement shall be implemented in full and a short statement of compliance submitted to the LPA upon completion of clearance works.

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 lightspill to any sensitive ecological zones/features and adjacent habitats. Guidelines can be found in Guidance Note 08/18 - Bats and Artificial Lighting in the UK (BCT and ILP, 2018). Such approved measures will be implemented in full.

Bat and Bird Boxes/Biodiversity Enhancement

Prior to building works commencing above foundation level a bat, bird and invertebrate box plan shall be submitted to and approved in writing by the LPA to achieve a net biodiversity gain in accordance with the NPPF. Integrated boxes should be favoured to provide long-lasting, discreet and secure nesting and roosting opportunities. Bat and bird boxes shall be attached at eaves level, with bird boxes avoiding south-facing elevations. Photographs of the boxes in situ shall be submitted to fully discharge the condition.

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,

[redacted]

Jenny Wheeldon
Biodiversity Planning 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.