Derbyshire Wildlife Trust

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Amber Valley Borough Council
PO Box 18
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For the attention of Anne Arkle

Your Ref: AVA/2022/0318
Our ref: DWTAVA1658a

5th February 2024

Dear Anne,

Proposal: Change of Use of the land for the siting of 1 x Eco-pod for Holiday accommodation including associated excavation works

Location: Whitewells Farm, Whitewells Lane, Belper, Derbyshire DE56 2DN

Application Ref No.: AVA/2022/0318

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.

Response

I have reviewed the amended plans and do not consider that they significantly alter my earlier comments submitted to the Council 1st July 2022. In this respect the Ecological Impact Assessment prepared by Elite Ecology April 2022 is still acceptable.

As stated previously the development is not considered likely to have a significant impact on any features of high nature conservation value but will result in a small loss of species poor



grassland. The ecology report has proposed a range of biodiversity enhancements at the site and provided these are implemented the development should be able to provide a net gain for biodiversity overall.

Notably the proposals for tree and shrub planting and the creation of an area of species rich grassland together with the installation of bat and / or bird boxes will enhance the value of the site for wildlife. The full details for these enhancements will need to be worked up by the applicant and submitted as a short Biodiversity Enhancement and Management Plan (BEMP). A condition for this is suggested below.

Although breeding birds are considered unlikely to be affected, there is a possibility that birds might nest in the field or in adjacent habitats such as bramble or walls. Construction work should either avoid the bird breeding period (March – August inclusive) or if works are carried out during this period a check should be made for any nesting bird activity prior to works commencing. A condition is recommended as below.



Lighting has the potential to disturb nocturnal wildlife such as bats and insects and should be kept to a minimum and follow best practice as set out in the Guidance Note 08/18 - Bats and Artificial Lighting in the UK (BCT and ILP, 2018).

Given the relatively small ecological impact and the range of enhancement proposals a net gain is considered achievable. No further surveys are considered necessary.

Recommendations / Conditions

The Council is advised to attach the conditions suggested below to secure suitable mitigation and biodiversity enhancements.

<u>Protection of breeding birds during construction</u>

To ensure that breeding birds are protected from harm we advise that a condition should be imposed requiring that “No removal of hedgerows, trees, shrubs or brambles shall take place between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period, and details of measures to protect the nesting bird interest on the site, have first been submitted to and approved in writing by the local planning authority and then implemented as approved.”



Lighting

If there are to be external lights fitted as part of the development these should be sympathetic to nocturnal wildlife. A standard condition is suggested below.

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. 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.

Biodiversity Enhancement and Management Plan (BEMP)

A Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to, and be approved in writing by, the LPA prior to the commencement of the development. The aim of the BEMP is to enhance and sympathetically manage the biodiversity value of onsite habitats in

accordance with the Biodiversity Net Gain Plan and the Ecological Impact Assessment prepared by Elite Ecology April 2022. It shall include the following: -

a) Details of the methods and species to be used for wildflower grassland, shrubs and other features.
b) Confirmation of the location of features to be retained, created, enhanced and managed including areas of species rich wildflower meadow, tree and shrub planting.
c) Details of location and type and number of bird, bat and / or insect nest boxes / reptile hibernacula.
d) Details of the management of habitats to achieve aims and objectives.
e) Confirmation of the body or organization responsible for implementation of the plan.
f) The wildflower grassland should be monitored in years 1,2 and 3 to confirm it is establishing successfully.
g) Requirement for a statement of compliance upon completion of planting and enhancement works.

The approved plan will be implemented in accordance with the approved details.

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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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.