Derbyshire Wildlife Trust

Sarah Brooks
Head of Planning
Amber Valley Borough Council
PO Box 18
Town Hall
Ripley, Derbyshire
DE5 3SZ

For the attention of Laura Anthony

Your Ref: AVA/2025/0513
Our ref: DWTAVA2135a

6th January 2026

Dear Laura,

Proposal: Proposed construction of an agricultural building and track.

Location: Land At Jackass Lane Jackass Lane Alderwasley Belper Derbyshire

Application Ref No.: AVA/2025/0513

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 received an updated Biodiversity Metric and Biodiversity Net Gain Report (Elton Ecology, December 2025). The proposals for habitat enhancement at the site have been amended to reflect concerns raised in my letter of 4th November

Sandy Hill, Main Street, Middleton, Matlock, DE4 4LR
01773 881188 · enquiries@derbyshirewt.co.uk

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2025. The original proposal to convert an area of acid grassland to an orchard has been replaced by a proposal to enhance the condition of the acid grassland from poor to moderate condition. This change is now included in the updated metric and a net gain of 14.45% is calculated. The change in the condition of the acid grassland requires sympathetic management including appropriate cutting to create a varied sward and encourage diversity together with some control of scrub and other more competitive or invasive plant species.

Protected species / habitats

The works should be carried out in accordance with a Construction and Environmental Management Plan to include mitigation and precautionary methods of working as identified in Table 9 of the Preliminary Ecological Appraisal Report (Elton Ecology, June 2025).

Recommendation / Conditions

These remain the same as per our earlier 4th November 2025 but are reproduced below.

Biodiversity Gain Plan

The statutory framework for biodiversity net gain requires a Biodiversity Gain Plan to be submitted and approved by the planning authority to discharge the mandatory biodiversity gain condition prior to the commencement of development.

Guidance for LPAs regarding Gain Plans can be found here: https://www.gov.uk/guidance/biodiversity-net-gain#para25 and the Gain Plan template is here: https://www.gov.uk/government/publications/biodiversity-gain-plan

Habitat Management and Monitoring Plan (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-site over the mandatory 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 demolition, 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 on protected species and habitats 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.

Lighting

If the development is going to include external lighting the following condition is recommended.

Prior to the installation of any external 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. 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.

If you require any further information or wish to discuss any of the comments made, please do not hesitate to contact me.

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Yours sincerely,

Kieron Huston

Kieron Huston BSc MSc MCIEEM
Head of Biodiversity Planning
planning@derbyshirewt.co.uk