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 Rebecca Godson

Your Ref: AVA/2025/0789
Our ref: DWTAVA2185

8th January 2026

Dear Rebecca,

Proposal: Construction of 3 no. detached dwellings

Location: Land Between 22 And 34 Brook Street Brook Street Loscoe Heanor Derbyshire

Application Ref No.: AVA/2025/0789

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

To provide comments and recommendations for the above application, the following documents have been reviewed:

- Preliminary Ecological Appraisal (Elite Ecology, July 2024)
- Biodiversity Net Gain Report (JM Ecology, November 2025)

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- Statutory Biodiversity Metric (JM Ecology, November 2025)

We previously provided comments at the same site, and the same ecological appraisal has been submitted as part of the current application. We consider that the recommendations relating to measures in order to safeguard protected species are suitable, as the proposals do not appear to have significantly altered.

We do however note a few minor discrepancies relating to the Biodiversity Net Gain Assessment which require further clarification (below).

Biodiversity Net Gain (BNG)

We have reviewed the BNG report and metric and have the following comments / recommendations to make based on noted discrepancies, changes to the user guidance and availability of the Local Nature Recovery Strategy (LNRS):

- As stipulated by current user guidance, once an LNRS has been published, the baseline strategic significance values for habitat parcels in that area should always be scored as low. We advise that all baseline habitat and hedgerow should be scored as '*Area/compensation not in local strategy/ no local strategy'*
- Changes to the metric user guidance have been undertaken prior to the production of the revised BNG assessment. The user guidance now stipulates that '*some hedgerows and lines of trees have associated ditches. If these meet the definition of a watercourse ditch, you should: record that ditch as a length in the watercourse module and not use the 'associated with ditch' habitat types in the hedgerow module.* The metric should be revised to adhere to the current guidance.
- We note that the individual ash tree has been downgraded to '*moderate'* condition. The previous BNG report assessed the tree as being in '*good'*

condition. However, following a subsequent review, the earlier condition assessment is no longer available. We therefore advise that justification demonstrating why the tree no longer meets the criteria for *good* condition is submitted to the council, to ensure accuracy and consistency in the assessment.

Conditions

Notwithstanding the need to address the outstanding matters within the BNG assessment, the following conditions are anticipated.

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. 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.

Nesting Birds

No tree, scrub or hedgerow clearance shall take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by a competent ecologist no more than 48 hours prior to clearance. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until

the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present.

Hedgehog Precautionary Measures

Site clearance shall be undertaken in a manner by which to safeguard hedgehogs. All rubble piles, leaf piles, compost heaps, dense vegetation and other general debris that could be used for shelter shall be carefully cleared by hand to a location such as a skip, other container or raised pallets. This shall be undertaken prior to machinery entering site and avoiding the core hibernation

period (November-February). If a hedgehog is discovered during clearance, it shall be moved immediately and carefully with gloved hands to an area of shelter such as beneath adjacent hedgerow/bushes. A short statement of compliance shall be submitted to the LPA upon completion of clearance works to discharge this condition.

Reptiles – Method Statement

Prior to the commencement of works (including clearance of grassland, refugia piles, scrub or groundworks) a Reptile Method Statement shall be submitted to the LPA to safeguard slow worm and grass snake along with any other reptiles or amphibians encountered. This shall include reasonable avoidance measures, seasonal timings and instructions in the event animals are discovered. The Method Statement shall be implemented in full, and a short statement of compliance submitted at the end of site clearance works.

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Habitat Management and Monitoring Plan

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. This shall identify the habitats to be retained, created and / or enhanced on the site 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

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. Approved measures shall be implemented in full and maintained thereafter. The Plan shall clearly show positions, specifications and numbers of features, which will include (but are not limited to) the following:

- universal nest boxes at ratio of 1:1, in line with British Standard 42021:2022.
- 3 x integrated bat boxes in new dwellings.
- insect bricks in new dwellings and / or towers in public open space.
- fencing gaps 130 mm x 130 mm to maintain connectivity for hedgehogs in all gardens.

A statement of good practice including photographs should be submitted to the local planning authority prior to the discharge of this condition, demonstrating that the enhancements have been selected and installed in accordance with the above.

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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,

Holly Fowler

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Biodiversity Planning Officer
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