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/2025/0520
Our ref: DWTAVA2136a

2nd February 2026

Dear Laura,

Proposal: Proposed demolition of existing café/diner and petrol filling station and the erection of 9 dwellings and 2 commercial buildings use class E(g)

Location: Bowbridge Garage Ashbourne Road Mackworth Derby Derbyshire DE22 4ND

Application Ref No.: AVA/2025/0520

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

Further to our response dated 8th September 2025, a revised Ecological Impact Assessment produced by Brindle & Green (December 2025) and a revised metric (Brindle & Green, June 2025) has been made available for review.

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The EcIA presents the results of further protected species surveys undertaken during the 2025 surveying season, pertaining to roosting bats, foraging and commuting bats, reptiles, badgers, otter, water vole and white-clawed crayfish.

The surveys found no presence of roosting bats, reptiles, badger, riparian mammals or white-clawed crayfish within the application site or zone of influence.

No otter holts or water vole burrows or any other evidence of these species was recorded. We support the recommendation for precautionary working methods to be implemented throughout the constriction phase of the development.

No bat roosts were identified within Building B1 during the dusk emergence survey undertaken on 18th August 2025. It is therefore assumed that bats are likely to be absent from B1 and therefore works can commence lawfully without the need for a bat mitigation licence.

A series of Night-time Bat Walkover (NBW) surveys and static monitoring was carried out between August and October 2025. While surveys were not undertaken in Spring 2025 and will not be extended into 2026, the consistently low levels of common bat species using features within the site indicate that this omission does not represent a significant constraint to the assessment. We advise that sufficent information relating to foraging and commuting bats has been submitted to the council.

No evidence of badger setts or activity was recorded within the application boundary or zone of influence. A single mammal entrance was observed ~13m east of the site, however this likely attributes to rabbit. As a precautionary measure, we support the recommendation that pre-commencement surveys for badger should be undertaken in order to establish the presence of these species due to their transient nature.

In addition to the above, we advise that the development should include appropriate species enhancements to provide measurable gains for biodiversity, as stipulated by the NPPF (2024). The enhancements should be secured by a suitably worded condition.

Biodiversity Net Gain (BNG)

We have reviewed the updated BNG metric prepared by Brindle & Green (June 2025). The revisions appear to address our previous concerns relating to the creation of mixed scrub and the treatment of retained hedgerow. Although the majority of boundary hedgerows are expected to be retained, they have been excluded from the metric as their long-term retention cannot be guaranteed.

Proposals result in a -0.07 loss of habitat units (-4.44%) and a -1.23 loss of hedgerow units (-89.69%). Trading rules have not been satisfied. It is noted that the units will be offset via a third-party provider such as a habitat bank.

We typically advise the LPA to seek confirmation that the type and number of units can be delivered by the provider, to avoid delays later down the line when discharging the Gain Plan condition, however this is not mandatory.

We advise that the on-site gains should be secured by a Habitat Management and Monitoring Plan (HMMP).

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

Conditions

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 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

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. 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.

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. 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 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

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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:

• integrated universal nest boxes / swift bricks in new dwellings at ratio of 1:1, in line with British Standard 42021:2022.

• integrated bat boxes in new dwellings erected at eaves level, favouring southern elevations

• bee 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 fully discharging this condition, demonstrating that the enhancements have been selected and installed in accordance with the above.

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

Holly Fowler BSc (Hons)
Biodiversity Planning Officer
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