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/2025/0848
Our ref: DWTAVA2201

9th February 2026

Dear Laura

Proposal: Outline application for a proposed new dwelling

Location: Land At Rear Of 1 The Orchard The Orchard Codnor Ripley Derbyshire

Application Ref No.: AVA/2025/0848

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

We have reviewed the submitted information, and it is understood that the application pertains to the development of a single dwelling. The development site consists of a single-storey garage with associated hardstanding and an adjacent lawn area. A leylandii hedge forms the southern boundary. Along the western edge of the site runs a ditch, and a Sustainable Drainage System (SuDS) feature is located approximately 10 metres to the west.

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The application as submitted is not accompanied by any ecological information. Prior to determination of this application, it is recommended that a Preliminary Ecological Appraisal is undertaken to establish the habitats that are present and to determine the presence or absence of protected species. Please note that all necessary surveys for protected species should be undertaken prior to the determination of a planning application.

Paragraph 99 of Circular 06/2005 states, "*it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted, otherwise all material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances*".

The field survey work should be undertaken by a suitably qualified and experienced ecologist[1] at the correct time of year and should be supported by a desk study[2], which includes obtaining existing records from the local record centre. The format and content of the ecology report should follow current guidelines (CIEEM, 2019 and British Standard BS:42020: 2013). To be sufficient for planning purposes, the report should provide an assessment of impacts, along with details of agreed mitigation and compensation measures (not recommendations). It should also provide details of enhancement opportunities, in line with the NPPF 2024.

[1] https://cieem.net/i-need/finding-a-consultant/

[2] Note for desk studies: NBN data provided under the CC-BY-NC licence must not be used for commercial purposes and would constitute a breach of that licence. CIEEM advise that NBN data should not be used in place of LERC data as a cost-saving approach. NBN data may differ from LERC data. *Guidance for using data - NBN Documentation (nbnatlas.org)*

Although the application form states that the development qualifies under the de minimis exemption from mandatory Biodiversity Net Gain. However, it appears that the proposal would result in the loss of more than 25m² of lawn to facilitate the development.

Information should be submitted to demonstrate how the development will result in a minimum of 10% net gain for biodiversity, in line with The Environment Act 2021. This should include a fully completed metric and pre- and post-development habitat maps. Trading rules must be satisfied. If offsite units would be required to deliver the gains, a strategy should be set out as to how these would be delivered. If units would be purchased outside of the LPA or National Character Area, the Spatial Risk Multiplier must be applied. Any requirement for a legal agreement to secure biodiversity gains should be identified at this stage.

We would be happy to comment on the ecological survey report and BNG Assessment once they have been produced.

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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