Derbyshire Wildlife Trust

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

For the attention of Laura Anthony

Your Ref: AVA/2025/0651
Our ref: DWTAVA2161b
11th June 2026

Dear Laura,

Proposal: Remedial soil nail stabilisation works at Hilt Quarry, Crich
Location: Hilts Quarry Dimple Lane Crich Matlock Derbyshire
Application Ref No.: AVA/2025/0651

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 nature conservation issues associated with the proposed development.

Response

Further to my letters of 18th December 2025 and 5th March 2026, I have reviewed the updated Biodiversity Net Gain Assessment (Arbtech Consulting Ltd, April 2026) and the updated Statutory Biodiversity Metric, (Arbtech Consulting Ltd, April 2026).

Biodiversity Net Gain and the impact of the proposals on habitats

I note that the red line boundary has been amended and that the BNG Assessment has been updated to reflect this change. The extension of the red line boundary now means that the area of habitats on-site has increased, and the area of habitat off-site has decreased. It also means that all the proposed habitat creation and enhancement is now on-site with no biodiversity units delivered off-site.

The proposed approach to BNG provides a 7.87% gain but falls short of the mandatory 10% net gain that is required under the Environment Act 2021. An additional 0.9 habitat units are required to reach 10%. These units will need to be purchased from an off-site habitat bank. To meet the Trading Rules of the Statutory Metric these units will need to be Lowland Mixed Deciduous Woodland.

Habitat Management and Monitoring Plan (HMMP)

The HMMP will need to be updated to reflect the changes in the BNG strategy and metric. It is advised that a revised HMMP is re-submitted with the Gain Plan as a condition of planning.

Conclusions

The proposed development does not currently deliver a 10% net gain and habitat units for Lowland Mixed Deciduous Woodland will need to be purchased from a Habitat Bank off-site to achieve 10% net gain. The applicant has acknowledged that this is the case and has stated the units will be purchased.

It seems likely that 0.9 habitat units for lowland mixed deciduous woodland can be purchased locally or within the Local Nature Recovery Strategy area. It is our

view that these units can be purchased once the application is approved and that the details would then appear in the Biodiversity Gain Plan. The development cannot proceed without the discharge of the Gain Plan so this is a reliable way to ensure that 10% net gain is delivered by the development. The Biodiversity Gain Plan should be accompanied by a final metric that includes the 0.9 units of lowland mixed deciduous woodland in the off-site habitat creation and / or enhancement tab. Details of which Habitat Bank the units have been purchased from are required as part of the Gain Plan.

The on-site gains involve high and medium distinctiveness habitats which are typically accepted as significant gains. The Council is therefore advised to consider securing these gains with a suitable planning obligation such as a S106 agreement or a planning condition. The Council is advised to seek a contribution for the costs of ongoing monitoring review over the next 30 years wherever possible.

Conditions and Biodiversity Gain Plan

The following statutory requirements and conditions are recommended.

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.

The Biodiversity Gain Plan must be accompanied by a final completed metric so that the LPA is able to accurately report on losses and gains as a result of mandatory Biodiversity Net Gain. The on-site and off-site tabs must all be completed and the Trading Rules must be satisfied.

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

Listed conditions

The following conditions are recommended (please note these remain the same as our previous letter of 5th March 2026).

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.

Schedule 1 Bird Species

No development shall take place (including demolition, ground works, vegetation clearance and movement of plant, machinery and materials) until a survey has been completed to determine the status of protected Schedule 1 bird species within the quarry.

Bats

The development must be carried out in strict accordance with the Bat Mitigation Plan (Arbtech) with all mitigation and enhancement measures implemented in full.

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" to include sensitive or high value areas or features located within Hilts Quarry.
c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts on protected species (birds, amphibians, reptiles, badger and hedgehog) and sensitive features and habitats during construction.
d) Details for the control of invasive non-native species.
e) The location and timing of sensitive works to avoid harm to biodiversity features.
f) The times during construction when specialist ecologists need to be present on site to oversee works.
g) Responsible persons and lines of communication.
h) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
i) 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.

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 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

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

Yours sincerely,

Kieron Huston

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