



Derbyshire
Wildlife Trust

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 Derbyshire Wildlife Trust

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Tony Sylvester
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For the attention of Chris Nash,

Your Ref: DMPA/2019/0948

Our ref: DWTSOU558-1

21st October 2019

Dear Chris,

Proposal: Outline application (matters of access to be considered now with matters of layout, scale, appearance and landscaping reserved for later consideration) for the erection of up to 100,000sqm of commercial floorspace (use classes B2 (general industrial) and B8 (storage and distribution) with ancillary B1(a) offices) along with associated landscaping, surface water drainage infrastructure and access

Location: Burnaston Cross, Etwall Road, Willington

Application Ref No: DMPA/2019/0948

Thank you for consulting the Derbyshire Wildlife Trust with regard to the above planning application. I am responding as the Biodiversity Planning Officer responsible for work relating to the Service Level Agreement, which South Derbyshire District 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.

A site visit was conducted on 10th May 2018 as part of the Trust's involvement at the Scoping request stage.

We have considered the following ecological supporting information:

- Ecological Impact Assessment (EclA) prepared by BWB Consulting issued 03/08/2018
- Preliminary Ecological Appraisal & Bat Roost Assessment Survey prepared by BWB Consulting dated March 2018
- Bat Emergence Surveys & Tree Climbing Inspection report prepared by BWB Consulting dated June 2018
- Great Crested Newt Survey report prepared by BWB Consulting dated

As part of the Environmental Impact Assessment Scoping Opinion, it was considered that in respect of matters related to ecology and biodiversity, the development is unlikely to give rise to significant effects. We advise that this is likely to be an accurate assessment.

We note the comprehensive nature of the ecological survey work that has been undertaken which has provided a robust assessment of the nature conservation interest associated with the site.

The majority of the site that will be impacted by the proposal comprises species-poor semi-improved grazed grassland of low ecological value.

No evidence of roosting bats has been found on the site during the surveys which have been carried out in accordance with current best practice guidance. Two trees are considered to have low potential for roosting bats and it is anticipated that the trees are to be felled to accommodate the proposed layout. Although no further surveys for bats are considered necessary we would recommend that precautionary measures in respect of bats are deployed during the felling of the two trees. Such measures should include soft felling where the tree limbs are cut and left overnight on the ground. Such measures should be incorporated within a Construction Environmental Management Plan (CEMP: Biodiversity) required as a planning condition.

From the submitted information, including the use of eDNA analysis, we advise that great crested newts are unlikely to be present on the site and affected by the proposed development.

Overall we advise that there are unlikely to be any protected species issues arising with the application.

We note and welcome the use of a recognised standardised Biodiversity Impact Calculator to identify the level of biodiversity impact associated with the proposed development. On the basis of the submitted Site Wide Green Infrastructure Strategy 8358-L-03A and the Illustrative Masterplan 16-078 SGP-XX-XX-DR-A-0912, the Biodiversity Impact Calculator has demonstrated that the proposed development will result in a biodiversity gain of habitats and linear features, which is welcomed and accords with national (NPPF) and local (BNE3) planning policies relating to biodiversity.

We are of the view that the creation and establishment of high quality habitats as part of the landscaping of the scheme enables the site to maximise its potential to act as a “stepping stone” as part of a network of sites to assist the movement of species between Hilton Gravel Pits SSSI, Willington Gravel Pits NR and the wildlife areas at Toyota.

Following further discussion, it is anticipated that the areas of proposed amenity grassland will now be seeded with a flowering lawn seed mix which will further increase the level of biodiversity gain and will be of particular benefit to pollinators such as bees and butterflies. These measures should be included in a Landscape and Ecological Management Plan (LEMP) required by a planning condition.

It is therefore important that the reserved matters/detailed design stage is broadly in accordance with the Site Wide Green Infrastructure 8358-L-03A and the illustrative Masterplan 16-078 SGP-XX-XX-DR-A-0912. If the landscaping at the reserved matters/detailed design differs greatly to the scheme presented at the outline stage then the biodiversity metrics will need to be recalculated.

We recommend that the following ecology-related conditions are attached to any permission:

“No development, including preparatory works, shall commence until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

- (a) a risk assessment of potentially damaging construction activities;***
- (b) identification of biodiversity protection zones (e.g. buffers to retained trees and hedges);***
- (c) practical measures (both physical measures and sensitive working practices, such as protective fencing, exclusion barriers and warning signs) to avoid or reduce impacts during construction (particularly in relation to works within canopy and root protection areas for retained hedgerows and trees);***
- (d) the location and timing of sensitive works to avoid harm to biodiversity features (in relation to breeding birds in particular);***
- (e) the times during construction when specialist ecologists need to be present on site to oversee works, in particular the felling of trees with low bat roost potential);***
- (f) responsible persons and lines of communication; and***
- (g) the role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person (as necessary).***

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless the ECoW otherwise sets out alternative details which are subsequently agreed by the Local Planning Authority.”

As part of the reserved matters, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed;***
- b) Ecological trends and constraints on site that might influence management;***
- c) Aims and objectives of management, including mitigation and enhancement measures of bat and bird boxes as advocated in the ecology reports);***
- d) Appropriate management options for achieving aims and objectives;***
- e) Prescriptions for management actions;***
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a ten-year period);***
- g) Details of the body or organisation responsible for implementation of the plan, along with funding mechanism(s) for that body or organisation; and***
- h) Ongoing monitoring and remedial measures, including where monitoring shows that conservation aims and objectives of the LEMP are not being met.***

The approved plan shall be implemented in accordance with the approved details.”

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,

Trevor Taylor

Trevor Taylor

Biodiversity Planning Officer

ttaylor@derbyshirewt.co.uk