

Our ref: 9264E / NJL

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02 July 2020

Dear Laura,

Planning Application Ref. 20/00873/FULM – Eakring Road, Bilsthorpe, Notts.

We have been asked by Keepmoat to review and comment on the letter sent to you by Nottinghamshire Wildlife Trust (NWT) dated 17/06/2020 concerning the above planning application, the location of which is hereafter referred to as the Site. I am now writing to provide that response.

1. Summary

- 1.1. It is not clear whether NWT's comments are being made as a paid service to provide Newark and Sherwood District Council (NSDC) with impartial professional advice, or whether they are being made by the Trust in their capacity as an independent organisation. For the avoidance of doubt this should be made clear to the applicant and anyone else viewing these comments on the Council's website planning portal.
- 1.2. Some of the Trust's comments do not provide a factually correct record of what has been written in the reports they review, and in other instances their interpretations are incorrect resulting in misleading comments including the disproportionate recommendation that breeding bird surveys should be undertaken.
- 1.3. The Site has the benefit of conditional outline planning approval for a similar development (Application Ref. 17/0113/OUTM), the main differences being that the current application involves more housing and excludes the retail element of the approved application. The outline approval is subject to planning conditions which a reserved matters application will be required to meet, several of which concern ecology matters¹.
- 1.4. Because of the similarity between the approved outline development and the current full application, and the fact that the FPCR update surveys reached the same conclusions as the AES ecology surveys that informed the outline application, many aspects of the ecology conditions have been incorporated within the proposed development design, and

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there is an expectancy by the applicant that approval of the current scheme would be subject to near identical conditions. The application of these should address all the concerns raised by the Trust.

- 1.5. It is therefore suggested that Conditions 010, 011 & 017 of the Conditional Planning Approval of Application Ref. 17/0113/OUTM should be applied to any approval of the current application, but with the wording of 011 amended to include the FPCR update reports. The reason being to protect and enhance biodiversity in accordance with the aims of Core Policy 12 of the Newark and Sherwood Amended Core Strategy (2019)².

2. Introduction

- 2.1. The Trust's comments are not provided with outline numbering which makes referencing difficult, so for conciseness and clarity in our response we have added numbering in red and provided this copy as Appendix A for reference.
- 2.2. It is not clear whether NWT are commenting in their capacity as an independent organisation or whether this is a response provided under the terms of a Service Level Agreement with Newark and Sherwood District Council (NSDC). In Para. 1.3 *"It is worth reminding the client"* suggests that NSDC are the client but comments such as *"Therefore, the trust disagrees with the findings from FPCR..."*, *"...we are concerned about the proposed loss of hedgerow..."* and *"...we cannot support this planning application..."* seems to imply that this is an independent comment on the application.
- 2.3. We raise this query because as you will be aware the Site currently has the benefit of outline planning permission for "Residential development up to 85 dwellings (Class C3), up to 3,000 sqft (280 sqm) retail development (Class A1), and associated access works including details of a new access junction into the site from Eakring Road" – Application Ref. 17/01139/OUTM¹. NWT were consulted on that application and their response (which is provide in full as Appendix B) they stated that:
- 2.4. *"We are no longer able to provide the level of free ecological planning advice as we have previously, as explained in our letter to your Authority of the 23rd June 2016, so we are focussing our limited time on the most potentially ecologically damaging applications [our emphasis]"*.
- 2.5. So it is somewhat perplexing that now the Trust consider this site sufficiently important to not only comment on the application but to also seemingly imply that they object to development here with their comment *"... we cannot support this planning application..."*
- 2.6. For the avoidance of doubt, we consider it should be made clear in what context the Trust's comments are being made. If they are based on a Service Level Agreement with NSDC they should be impartial and advisory to the Council with any objection to the application made as a separate submission as comments from the Trust as an independent organisation.
- 2.7. The current outline planning approval addresses ecology issues via several planning conditions which a subsequent reserved matters application will be required to address. The reason for these conditions are to protect biodiversity on the site in accordance with

the aims of Core Policy 12 of the Newark and Sherwood Core Strategy (2011)³. Although the current application is different in as much as the proposal is for more housing and the retail element of the approved application will now be subject to a separate application, much can be drawn from the ecology conditions attached to the approval. It should be noted that since the outline approval NSDC adopted an Amended Core Strategy² in March 2019; however, Core Policy 12 in the amended strategy is identical except for the addition of a paragraph concerned with Air Quality in the Sherwood Area and the development of a Supplementary Planning Document. Consequently, the conditions attached to the outline approval have a strong relevance to the current application.

2.8. We will now address the points raised.

3. 1. Bats

- 3.1. 1.1 The comments here imply that the entire eastern boundary borders the Local Wildlife Site (LWS). This is not the case, the LWS boundary is c.40m from the Site boundary and this only concerns a very short length with the main area of the LWS located to the northeast of the Site. This is shown very clearly on Figure 1 of the Ecological Appraisal⁴ so there should not have been any confusion here.
- 3.2. The recorded species assemblage was typical of what would be expected given the habitats present within the Site and its immediate surrounds, and was not exceptional in that respect.
- 3.3. 1.2 Here, the Trust seem to misunderstand the point made in the FPCR report which was just highlighting the fact that with static detector surveys it is not possible to come to firm conclusions about the number of bats present from the recordings. This is because 100 registrations might be 1 or 2 bats foraging in the range of the detector and making multiple passes; equally, the 100 registrations might be 50 bats flying past to access foraging habitat elsewhere then flying back to their roost later. In terms of importance, there would be a clear difference between a couple of common species using the area covered by the static detector and its value as a major commuting corridor for a relatively large number of bats. It is for this reason that walked transect surveys are also undertaken as this provides important context. The Trust assumes “...that were the surveys undertaken in the optimal period, bats [sic.] recordings would likely have been substantially higher.” The 2017 surveys by AES show this is not the case as their surveys found that “*Bat activity across the site was low, activity was generally restricted to the woodland edge to the east and the other boundaries, with minor foraging over the site by noctule and common pipistrelle*”⁵.
- 3.4. To provide greater context to their overarching conclusion it is worth considering each of their walked transect survey results:

22nd May 2017 – “*Low levels of bat activity were recorded with a maximum of two bats seen at any one time*”.

25th June 2017 – “*Low levels of bat activity were recorded with only five bats being noted and a maximum of two bats seen at any one time*”.

25th July 2017 – “*There was once again low levels of bat activity with a maximum of one bat noted at any one time*”.

15th August 2017 – This was a dawn survey and whilst the report does not summarise the level of activity, except for a single noctule, only common pipistrelle were recorded and in low numbers.

26th September 2017 – “*There were low levels of bat activity with only one bat seen by surveyors at any one time*”.

3.5. **1.4** The Trust’s comments here are particularly misleading. Both AES and FPCR have identified that the eastern boundary of the Site has value for the local bat population, this is clear and unambiguous and covered across paras. 4.21-4.24 of the FPCR Ecological Appraisal. Paragraph 4.25 from which the Trust’s quote has been taken is referring to the habitat that forms most of the Site (i.e. the improved grassland).

3.6. The Trust’s comments appear to be out of context with their comments in **1.5** which are simply reiterating the mitigation that has been proposed by both AES and FPCR.

4. 2. Birds

4.1. The suggestion that a breeding bird survey should be undertaken is disproportionate as it does not take into account the habitats present and the ecology of the specific species mentioned. Grassland forms all of the site except for the boundaries which are formed by hedgerow, and narrow bands of scrub and tall-ruderal herb (specifically bracken) as are the boundaries of most field parcels.

4.2. In terms of the habitat requirements for woodlark and nightjar:

*“Woodlarks need areas of short, sparse, **naturally developed turf** with a high abundance of invertebrate prey on bare ground. This needs to be interspersed with tussocky vegetation for nesting. **They avoid areas that are overgrown, neglected or agriculturally improved.**”*⁶ [my emphasis]

4.3. The grassland forming virtually all of the Site is not naturally developed turf and is clearly agriculturally improved and lacks the structure required for woodlark, it isn’t suitable habitat making any survey for this species unjustified and disproportionate given the habitats present.

*“The nightjar is now a scarce breeding bird of lowland heathland, forest clearings and clearfells throughout Britain, north to southern Scotland, and in coppice woodland in south-east England.”*⁷

4.4. This is clearly not the habitat present within the Site and therefore survey for this species is unreasonable and disproportionate.

4.5. Aside from these species, improved grassland will not potentially be supporting an important breeding bird assemblage and the boundary habitats are typical of lowland farmland and suburban edges and therefore any breeding bird assemblage that they might support will be formed by common and widespread species and therefore there is no justification for undertaking a specific breeding bird survey.

- 4.6. The comments regarding the Sherwood Forest nightjar and woodlark populations fail to address the fact that the proposed development will have no impact whatsoever on the habitat requirements for these species, but does have the potential to result in an increase in visitors to the core areas used by these birds in Sherwood Forest, and for a subsequent potential increase in the risk of disturbance to the birds. This potential risk has been identified for the planning approval already afforded to the site and has been mitigated by the inclusion of a planning condition. Condition 017:

"Details submitted pursuant to the first application for approval of reserved matters consent shall include a draft information leaflet to be distributed to all new residents within the development regarding the ecological value of the local area and the sensitivities of woodlark and nightjar, requesting that dog walking after dusk, during the breeding season within the key areas for nightjar, is avoided. Once approved by the local planning authority, the information leaflet shall form part of the 'welcome pack' to be distributed by the developer of the site to first occupants following legal completion.

Reason:

*In order to protect biodiversity in the District in accordance with the aims of Core Policy 12 of the Newark and Sherwood Core Strategy (2011)."*¹

- 4.7. The current application has been submitted with the full expectancy that a similar condition would be imposed if approval were granted. This would then provide a proportionate level of mitigation for potential disturbance of these important birds.
- 4.8. For other bird species there is a potential for disturbance to nesting birds associated with vegetation removal. Again, we can turn to the current planning approval for the site which addresses this via a condition, Condition 010, which it is assumed would form part of any approval for the current application:

"010 To avoid negative impacts to nesting birds, any clearance works of vegetation on site should be conducted between October to February inclusive, outside the bird breeding season. If works are conducted within the breeding season, between March to August inclusive, a nesting bird survey must be carried out by a qualified ecologist prior to clearance. Any located nests must then be identified and left undisturbed until the young have left the nest.

Reason: In order to protect biodiversity on the site in accordance with the aims of Core Policy 12 of the Newark and Sherwood Core Strategy (2011)".

5. **4. Habitats**

- 5.1. **4.1** It is disingenuous of the Trust to say that "*Hedgerow (H1) is identified as being 'Important' under the hedgerow regulations (1997)*". Neither the AES Extended Phase 1 Habitat Survey report⁸, or the FPCR Ecological Appraisal have stated this; in fact, para. 4.7 of the FPCR report makes it clear that this is not an 'Important' hedgerow "*Hedgerow H1 was **not** identified as being 'Important' under the Hedgerow Regulations (1997)* [my emphasis]. The hedgerow has been recorded as being dominated by hawthorn with sparse amounts of elder and holly, so has a composition of just three species; this fact

makes it impossible for the hedgerow to qualify as 'Important' under the Wildlife and Landscape criteria of the Regulations⁹.

- 5.2. H1 is c.140m long with c.20% gaps. The proposal to plant up these gaps as compensation for the loss of hedgerow to create an access will amount to c. 28m of restored hedgerow and will result in a more diverse hedgerow by planting additional species to the three that currently form the hedge; this is considered adequate compensation for the c.17m of hedgerow that will be lost to facilitate the access road and associated visibility splay.
- 5.3. 4.2 The proximity of the LWS is irrelevant in terms of the likelihood of small mammals and badgers being present on site as the Site's edge habitats will invariably support small mammals. The 2017 and 2019 surveys did not record the presence of badger within the Site or local area so there should be no need to provide mitigation for something that is not present. However, it is acknowledged that badger are particularly mobile and the baseline conditions can change very quickly, so the adoption of the good practice measures is appropriate although these should form part of the Ecological Mitigation Scheme discussed later in this response.

6. 5. Biodiversity Net Gain (BNG)

- 6.1. Whilst the current Government has stated its intention to mandate 'net gains for biodiversity' this has not yet been transposed into legislation. This will form part of the Environment Bill which is currently being progressed through Parliament.
- 6.2. The measurable net gains for biodiversity that the Trust refer to are calculated using a biodiversity metric and work is underway to finalise a metric that will represent the system that will be used when 'net gains for biodiversity' is mandatory and there is currently a DEFRA 'beta' version available for trial use, but not a final version. There are other metrics in use, but these would most likely each give a different result when applied to the same site and some have been developed with a local context. The calculation is only one part of the biodiversity net gain approach and this is highlighted by the fact that in response to comments received during its ten-week public consultation on 'biodiversity net gain', the Government is proposing a two-year transition period from when 'net gain' is mandated¹⁰. This reflects the fact that local authorities and other stakeholders will need time to establish the systems and protocols required to administer biodiversity offsetting within their areas. This will include things like the development of strategic areas for habitat creation and mechanisms for administering the financial aspects. Regarding the latter. There currently is not a local or national tariff for the value of biodiversity offsetting units so it's unclear how a fair and proportionate rate for the cost of the units would be determined. Currently NSDC do not have systems in place to address these points and current local planning policy does not have a specific requirement for measurable net gain to be demonstrated but expects development to protect biodiversity in accordance with the aims of Core Policy 12 of the Newark and Sherwood Core Strategy.
- 6.3. In addition to the previously mentioned Conditions 010 and 017 of the outline planning approval, Condition 011 of that approval requires the production and implementation of an approved Ecological Mitigation Scheme (EMS) in order to enhance habitats in accordance with the aims of Paragraph 118 of the NPPF (2012). Whilst that version of the NPPF is

now superseded by the NPPF (2019)¹¹ Paragraph 118 has been retained unchanged so the reasons for the application of Condition 011 remain valid for the current application and the application of a similar condition would be appropriate to address any issue of biodiversity net gain.

Yours sincerely,

Nick Law



Nick Law

Associate Ecologist

FPCR Environment and Design Ltd

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REFERENCES

- ¹ Newark and Sherwood District Council. (2019). *Notice of Decision Application No. 17/01139/OUTM*. [online]. https://publicaccess.newark-sherwooddc.gov.uk/online-applications/files/7FAE01D7D9D677DE76340855AB9BDBA9/pdf/17_01139_OUTM-APPROVED-864505.pdf [Accessed 30/06/2020]
- ² Newark and Sherwood District Council. (2019). *Amended Core Strategy – Adopted March 2019*. [online]. <https://www.newark-sherwooddc.gov.uk/media/newarkandsherwood/imagesandfiles/planningpolicy/pdfs/corestrategy/ACS2019.pdf> [Accessed 30/06/2020].
- ³ Newark and Sherwood District Council (2011). *Core Strategy Development Plan Document – Adopted March 2011*. [online]. [https://www.newark-sherwooddc.gov.uk/media/newarkandsherwood/imagesandfiles/planningpolicy/pdfs/Adopted%20Core%20Strategy%20\(Low%20Res\).pdf](https://www.newark-sherwooddc.gov.uk/media/newarkandsherwood/imagesandfiles/planningpolicy/pdfs/Adopted%20Core%20Strategy%20(Low%20Res).pdf) [Accessed 30/06/2020].
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- ⁵ AES. (2017). *Bat Survey Report – Version 2*. [online]. https://publicaccess.newark-sherwooddc.gov.uk/online-applications/files/3B6D59F5C7CB5659288B2BFC7D872CCA/pdf/17_01139_OUTM-BAT_SURVEY_REPORT-787746.pdf [Accessed 30/06/2020].
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- ⁷ RSPB. (2020). *Land management for nightjars*. [webpage]. <https://www.rspb.org.uk/our-work/conservation/conservation-and-sustainability/advice/conservation-land-management-advice/nightjars/> [Accessed 30/06/2020].
- ⁸ AES. (2017). *Extended Phase 1 Habitat Survey – Land off Eakring Road, Bilsthorpe*.

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<http://www.legislation.gov.uk/ukxi/1997/1160/contents/made> [Accessed 30.06.2020].

¹⁰ DEFRA. (2019). *Net gain. Summary of responses and government response. July 2019*. London: Department for Environment, Food & Rural Affairs.
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/819823/net-gain-consult-sum-resp.pdf [Accessed 30.06.2020].

¹¹ Ministry of Housing, Communities and Local Government. (2019). National Planning Policy Framework. London: Ministry of Housing, Communities and Local Government. [online].
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/740441/National_Planning_Policy_Framework_web_accessible_version.pdf [Accessed 30.06.2020].

APPENDIX A

The Old Ragged School
Brook Street
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Nottinghamshire Wildlife Trust



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17/06/2020

Laura Gardner
Technical Support Business Unit
Castle House
Great North Road
Newark Nottinghamshire
NG24 1BY

Application Reference: 20/00873/FULM

Site Address: Field Reference Number 7108 Eakring Road Bilsthorpe Nottinghamshire

Proposal: Residential development of 103 dwellings and associated access and infrastructure

Dear Laura,

Thank you for consulting the Wildlife Trust on the above application. We have reviewed all the necessary documents, including but not limited to the Ecology Appraisal by FPCR (May 2020).

Response

1. Bats

1.1 The ecology report was undertaken by FPCR in October 2019 which as it states in the report, is outside the optimal survey period (April-September). Notwithstanding, a suite of bat surveys including a Ground-Based Tree Assessment, a Transect survey and a Static (Passive) Monitoring survey were undertaken to assess the importance of the site to bats. The ecologist found that the site was utilized by a wide number of foraging and commuting bats from recordings made in the static bat detector survey, especially along the eastern boundary bordering Bilsthorpe Colliery Local Wildlife Site (LWS).

1.2 However the survey mentions that the high level of registrations from the static bat detector surveys 'does not necessarily correspond to the number of bats, and could be accounted for by a smaller number of bats using the area for a sustained period instead'. Regardless of whether there was a high number of bats or a smaller number of bats using the area for a sustained period, the area is evidently of high value to the local bat community and acts as a wildlife corridor connecting the site to Bilsthorpe Colliery LWS (as demonstrated in the bat flight paths, figure 4 of the ecology report). It can also be assumed that were the surveys undertaken in the optimal period, bats recordings would likely have been substantially higher.

1.3 It is worth reminding the client that the National Planning Policy Framework (NPPF, 2019) paragraph 174 states that plans should:



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- A) 'Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
- B) 'Promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.'

1.4 Unfortunately, the conclusions made in the report 'considered that the loss of predominantly sub-optimal foraging habitat resulting from the proposals will have a negligible impact upon foraging and commuting bats and their loss is not considered to be significant'. This is in contrast to the bat survey findings by AES Limited in 2017, which was undertaken in the optimal survey season period. AES Limited identified that the residential properties in close proximity to the woodland edge could have an impact on foraging and commuting bats. They concluded that the woodland edge has the potential to provide foraging habitat and flyways for local bats and any additional lighting of the woodland edges and hedgerows could impact on foraging patterns or commuting routes of local bats.

1.5 Therefore, the trust disagrees with the findings from FPCR as it is evident that the site does in fact support suitable and furthermore *important* habitats for foraging and commuting bats. We therefore would like to ensure the eastern boundary of the site should be protected from the impacts of the development to ensure valuable ecological networks are maintained. We would also like to reemphasize the recommendations made by the ecologist in **paragraph 4.26-4.30** (page 18), in particular the good practice measures with regards to lighting.

1.6 Prior to commencement of development, a detailed scheme for these recommendations should be submitted to and approved in writing by the local planning authority.

2. Birds

2.1 A number of birds were recorded using the site during the survey and the habitats within the site and immediately adjacent provide suitable breeding bird habitat for a range of 'common and widespread urban and suburban bird species (page 18).' We have concerns regarding this statement as the survey was undertaken outside of the optimal survey season and therefore the findings of 'common and urban' birds may not be representative of the site's potential importance to breeding birds.

2.2 Suitable habitat such as hedgerow, trees, and scrub was identified to provide nesting opportunities however the ecologist concludes that 'any breeding bird assemblage present on-site would be considered to be of low importance in the context of the wider environment'. We strongly disagree with this statement and we would like to draw attention to the fact that in the context of



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the Public Inquiry into Veolia's application for planning permission for an Energy Recovery Facility at Rufford, an issue has arisen as to whether the substantial population of **nightjar** and **woodlark in the Sherwood Forest area** justify its classification as a Special Protection Area ("SPA") under the EU Birds Directive, or at least its identification as a potential SPA ("pSPA"). If Sherwood is to be treated as a pSPA, then it is Government policy (in PPS9 paragraph 6) that the potential site should be treated as if it had already been classified. This would have the result, in the case of applications in the vicinity of the pSPA, that the provisions of the Conservation of Habitats and Species Regulations 2010 (formerly the Conservation (Natural Habitats etc) Regulations 1994) would have to be applied. Therefore there is a **5km buffer zone** around the combined Indicative Core Area and proposed International Bird Area, as agreed by Natural England, within which we believe the possible adverse effects of any development should be properly considered. The application that is the subject of this consultation response falls within that area.

2.3 Taking the above pSPA into consideration and as the development will result in a loss of grassland, scrub and tall ruderal habitat (potential breeding bird habitat), we recommend that a breeding bird survey, specifically including nightjar and woodlark, is undertaken in the optimal breeding bird season/s. In this survey, bird species and their behaviour are mapped and an assessment is made of the significance of the species present and an estimate of the number of breeding territories. This information can be used to design works to avoid or reduce adverse impacts on breeding birds and to mitigate for any loss of habitat.

3. Hedgehogs

3.1 Hedgehogs are protected by law under Schedule 6 of the Wildlife and Countryside Act 1981, making it illegal to kill or capture them and they're listed as a Species of Principle Importance in England under the Natural Environment and Rural Communities (NERC) Act 2006 Section 41. They have seen repaid declines recently which is mainly due to habitat loss. Therefore, we fully support the recommendations made by the ecologist on page 14 (paragraph 4.35-4.38), and would like to reiterate that:

- Holes (13cm by 13cm) should be made in garden fences to allow for hedgehog passage
- Using hedgerows for plot boundaries to allow for hedgehog passage.

4. Habitats

4.1 Hedgerow (H1) is identified as being "Important" under the hedgerow regulations (1997), we are therefore concerned about the proposed loss of hedgerow to create an access point. It is stated that this is to be mitigated by filling in existing gaps with native species, however, we would suggest that in addition, any loss of hedgerow is compensated for in an additional hedgerow, which should be created within the site consisting of native species and ideally of local provenance.



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4.2 Due to the close proximity to Bilsthorpe Colliery Local Wildlife Site, the likelihood of individual small mammals present on site (such as hedgehogs or badgers) is high and should be safeguarded. Furthermore, as site clearance has the potential to impact on hedgerows, scrub or woodland edges which are to be retained, the Trust would like to advise the following precautionary working practices should be in place during construction. The following recommendations should be included in a Construction Environmental Management Plan (CEMP).

1. Any pipes over 200mm in diameter should be capped off at night to prevent animals such as badgers entering.
2. Materials such as netting and cutting tools should not be left in the works area where they might entangle or injure animals, such as badgers.
3. No stockpiles of vegetation should be left overnight and if they are left then they should be dismantled by hand prior to removal.
4. During building work, root protection zones should be established around retained trees/hedgerows (as suggested by the ecologist) so that storage and movement of materials and vehicles are not carried out within these zones.

5. Biodiversity Net Gain (BNG)

5.1 Paragraph 175 of the National Planning Policy Framework (NPPF, 2019) states that when determining planning applications, local planning authorities should apply the following principles:

1. If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
2. Development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

5.2 With this in mind, we would expect a demonstrated BNG, which should also be achieved in the development as a whole. Please follow the advice at <http://cieem.net/resource/biodiversity-net-gain-good-practice-principles-for-development/> for further information.

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6.0 We advise that, prior to commencement of development, a detailed scheme for all the above-mentioned ecological mitigations, compensations and enhancements based upon the FPCR survey May 2020 shall be submitted to and approved in writing by the local planning authority.

7.0 As it stands, given the concerns raised and without further information provided, we cannot support this planning application. It does not demonstrate a BNG and could severely impact upon protected wildlife species and priority habitats on or surrounding the site.

We look forward to reviewing further information please do not hesitate to contact me if you require further information.

Kind regards,

Lizzie

Elizabeth Cope BSc (Hons) GradCIEEM

Conservation Assistant

Nottinghamshire Wildlife Trust

Tel: 0115 958 8242

<https://www.nottinghamshirewildlife.org>

President

Sir Andrew Buchanan Bt.

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APPENDIX B

17/01139/OUTM | Residential development up to 85 dwellings etc associated access works including details of a new roundabout access junction into the site from Eakring Road - Field Reference Number 7108 Eakring Road Bilsthorpe

Thank you for consulting Nottinghamshire Wildlife Trust on the above application.

We are no longer able to provide the level of free ecological planning advice as we have previously, as explained in our letter to your Authority of the 23rd June 2016, so we are focussing our limited time on the most potentially ecologically damaging applications. You will be aware that it is your duty under the NPPF and the NERC Act to ensure that you can determine applications based on a sound understanding of the ecological implications and the adequacy of any proposed mitigation or compensation, and in order to do so you will need access to independent ecological advice. We are currently investigating options for provision of this advice on a paid basis through a Service Level Agreement, hopefully jointly with NCC, and will be providing information to your Team Leader as soon as possible on how this might work, as the most economically viable option. In the meantime you may need to commission advice from a private sector source. Alternatively NWT can provide advice on an ad hoc basis until long term agreements are in place, this could proceed on the same basis as the Derbyshire LPAs pay DWT for advice as follows:

Per hour - £40 plus VAT

Per half day - £140 plus VAT

Per day - £280 plus VAT

Please contact us if you would like to proceed on this basis as an interim measure, until a more long term solution can be agreed.

Kind regards

Claire

Claire Sambridge BSc (Hons) GradCIEEM

Conservation Assistant

Part-time working hours - Monday to Wednesday

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www.nottinghamshirewildlife.org

Nottinghamshire Wildlife Trust is the county's largest environmental charity - run by local people for the benefit of local wildlife. We manage 67 nature reserves, champion nature and inspire adults and children about the natural world. Together we are working to create a Living Landscape for Nottinghamshire.

Are you a member of Nottinghamshire Wildlife Trust?

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