

EREWASH



Biodiversity

Supplementary Planning Document

April 2006

*A clean, healthy, vibrant, safe and sustainable borough
delivering the best for 'Erewash'*

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EREWASH BOROUGH COUNCIL

BIODIVERSITY

SUPPLEMENTARY PLANNING DOCUMENT

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About this Guidance

- 1.1** This Supplementary Planning Document has been prepared in accordance with current Government planning guidance. Its purpose is to supplement relevant policies and proposals as set out in the Erewash Borough Local Plan Adopted July 2005. The contents of this document will therefore guide those submitting planning applications. When adopted it will be given considerable weight in the determination of planning applications and it is therefore expected that developers will follow the advice as set out.

Introduction

- 2.1** Biodiversity is recognised as a key indicator of sustainable development, as it offers social, economic and environmental benefits to quality of life, local distinctiveness, lifelong learning, leisure, recreation and tourism.
- 2.2** This guidance seeks to emphasise the importance of adopting a positive approach to biodiversity protection and enhancement, and sets out the key considerations relating to wildlife and biodiversity that should be taken into account in all development proposals.
- 2.3** This guidance should therefore be read by anyone seeking to develop land which either contains or has the opportunity to contain biodiversity. The Council has a responsibility to take into account biodiversity when considering a planning application for development.
- 2.4** If you are thinking about submitting a planning application to develop land currently or potentially important for biodiversity, then this guidance note is essential reading for you. By following the advice given in this note you will be helping to secure an earlier decision on your proposal.

Reference should also be made to the Borough Council's other Supplementary Planning Documents, specifically on Design; Landscape; Development, Flood Risk and Aquifer Protection; and Planning Obligations.

Policies

- 3.1** This note has been prepared to explain the role of the planning system in protecting biodiversity and expands on the following nature conservation policies as set out in the Erewash Borough Local Plan (adopted July 2005) and detailed in Appendix 2:

- LP1 – Sustainable Development



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- EV1 – ErewashValley
- EV10 – Sites of Special Scientific Interest, Regionally Important Geological Sites and Geomorphological Sites, Local Nature Reserves and Sites of Importance for Nature Conservation
- EV11 – Protected Species and Threatened Species
- EV12 – Nature Conservation – Planning Obligations and Conditions
- EV13 – Creative Conservation
- EV15 – Tree Preservation Orders
- EV16 – Landscape Character

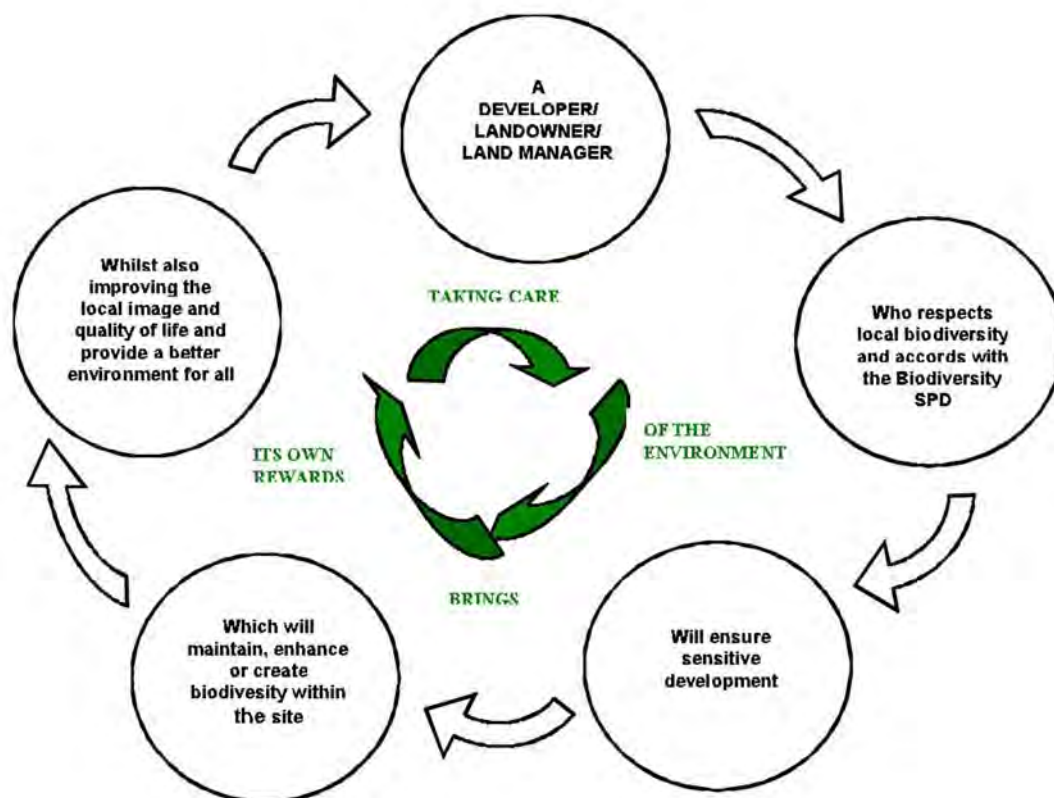


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The Council's approach to planning applications

4.1 This note sets out the approach to be taken by developers, land owners and land managers to accommodate biodiversity within the development process. The approach includes:

- gathering information through undertaking relevant surveys;
- protecting key habitats and species as a minimum;
- enhancing and restoring existing habitats and creating new areas;
- avoiding ecological damage wherever possible;
- mitigating against potentially damaging impacts which cannot be avoided;
- compensating where damage is unavoidable and cannot be mitigated against;
- aiming for 'no net loss' (and ideally a net gain) for biodiversity and
- monitoring and managing the site to assess the success of these measures.



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Biodiversity Characteristics within Erewash Borough

5.1 Erewash Borough supports a diverse range of rich and varied biodiversity - habitats and species. Habitats include native woodlands, hedgerows, rivers, ponds, marsh land and wildflower rich grasslands. Species include internationally protected otters and great crested newts and nationally important fauna such as water vole, brown hare, skylark and song thrush. It is important to note that biodiversity does not confine itself to geographical and administrative boundaries and can be found in rural and urban areas and on previously undeveloped (greenfield) and developed (brownfield) land.

Definition of biodiversity

6.1 Biodiversity is the variety of plants and animals that exist throughout the world. It is not just about rare and threatened animals and plants, but encompasses every species from the commonplace to the critically endangered.

Why do we need to conserve biodiversity?

7.1 Plants and animals have an economic benefit, and we rely on them for food, shelter and medicines. Biodiversity is also a key measure of quality of life. However, the current estimation is that extinction is 1000 times the natural rate, due almost entirely to human activity. By protecting biodiversity, we are protecting ourselves. We need to conserve biodiversity because:

- It provides the essentials of life
- It improves our quality of life and promotes our health and well-being
- It is important for the health of our environment
- It is part of our local culture and distinctiveness
- It benefits our economy
- It is essential for sustainable development
- It is important for our future needs
- It is simply our responsibility and we have an ethical and moral obligation to protect what we currently enjoy

Biodiversity Principles & the Role of the Planning System

8.1 'Working with the grain of nature: a biodiversity strategy for England' sets out the Government's vision for conserving and enhancing biological diversity in England. It includes the broad aim that planning, construction, development and regeneration should have minimal impacts on biodiversity. In moving towards this vision the Government's objectives for planning are:



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- to promote sustainable development
- to conserve, enhance and restore the diversity of England's wildlife and geology, and
- to contribute to rural renewal and urban renaissance.

8.2 Development should therefore not lead to a loss of biodiversity, including loss due to the fragmentation of habitats and the loss of green corridors and should enhance it, wherever possible. Important habitats and species should be protected from harmful development. Any adverse effects should be avoided, minimised and/or compensated and every opportunity should be taken to create improvements for biodiversity, so contributing to national, regional and local biodiversity targets.

8.3 The loss of biodiversity is contrary to the aims and objectives of sustainable development. As much of the pressure on biodiversity is related to development and land use, the planning process has a fundamental role to play in controlling and relieving this pressure. Failure to address biodiversity issues may lead to a planning application being refused.

Legislative Framework and National Policy Context

9.1 This section sets out the Government's legislation and policies on biodiversity and the role of the planning system.

Government Policy

10.1 Planning Policy Statement 9 (PPS9) – Biodiversity and Geological Conservation, published August 2005 sets out the Government's planning policies on the protection of biodiversity and geological conservation through the planning system. PPS9 requires local authorities to protect and positively enhance biodiversity. It encourages policies that support biodiversity and geological conservation in and around developments. It advises that where significant harm to wildlife and geological features cannot be prevented, mitigated or compensated, development schemes should be refused. It specifically states that local authorities should indicate the location of designated sites of importance for biodiversity and geodiversity within their development plans, making clear distinctions between the hierarchy of international, national, regional and locally designated sites. It also refers to the need for the protection of ancient woodlands and other habitats and species of principal importance for the conservation of biodiversity within England. A list of such species and habitats has been published by the Government in response to this requirement as set out under Section 74 of the Countryside and Rights of Way Act 2000 and can be found on the DEFRA website at: www.defra.gov.uk/wildlife-countryside/cl/habitats/habitats-list.pdf



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- 10.2** Circular 06/2005 – Biodiversity and Geological Conservation: Statutory Obligations and Their Impact within the Planning System provides guidance on the application of the law relating to planning and nature conservation. It accompanies Planning Policy Statement 9 (PPS9) – Biodiversity and Geological Conservation.

Legislation

- 10.3** Within the Local Government Act 2000, local authorities also have powers to improve the environmental well-being of their area, of which biodiversity is a key element.
- 10.4** As well as through the planning system, species and habitats are protected through other specific Acts and regulations not previously mentioned, the main ones being:
- Conservation (Natural Habitats, &c.) Regulations 1994 and amendments 2000
 - Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000)
 - Hedgerow Regulations 1997
 - Protection of Badgers Act 1992
- 10.5** This legislation provides for differing levels of protection to a variety of plants and animals, and in some cases the places inhabited by them.
- 10.6** Whilst some species may occur within statutorily protected sites, more often they are found outside of these sites, and consequently are vulnerable to a range of threats including built development and land use changes.
- 10.7** The presence of a protected species is a material consideration in making a planning decision. It is therefore essential that adequate information in the form of appropriate ecological surveys and sensitive development designs are provided by applicants when submitting planning applications. This will assist the Development Control officers to determine what effects, if any, the proposed development will have on any protected species and biodiversity in general. Some protected species can only be disturbed following the granting of a licence by Natural England or DEFRA. This relates to European Protected Species (EPS) and works carried out within 30 metres of a badger sett. Under the EC Habitats Directive, development works that would contravene the protection afforded to EPS, would require the issue of a derogation (licence) by the Secretary of State. Three tests must be met before a licence is granted, and local planning authorities are expected to apply these tests to the planning application, in order to avoid the situation arising where permission is granted but a licence is refused. Where development sites contain or impact on EPS, and developers have already acquired planning permission, a licence still needs to be obtained before the permission can be implemented. The applicants must therefore provide information indicating how the following three tests have been satisfied:



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- That the development is ‘in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of a primary importance for the environment;
- That there is no satisfactory alternative;
- That the granting of a licence will not be ‘detrimental to the maintenance of the populations of species concerned at a favourable status in their natural range’.

10.8 Where relevant, developers should consult both the national Red Data Books and the Local Biodiversity Action Plan when carrying out assessments.

10.9 If the presence of a protected species is discovered after work on a site has commenced, operations must stop immediately to avoid causing illegal damage. Where permission is granted, the Borough Council will consider using either planning conditions or Section 106 Planning Obligations to achieve one of the following (in order of preference):

- the protection of the species, in its current location, from harm or disturbance, and the maintenance of habitats and features necessary for nesting, roosting and feeding etc.;
- where it is not possible to retain the population in its current location, the provision of suitable alternative habitats and features elsewhere on or adjacent to the site to maintain at least the current levels of populations affected;
- as a last resort, exclusion, or removal of the population to a suitable alternative location.

10.10 Further details on wildlife legislation can be found in Appendix 3 at the rear of this document.

Local Biodiversity Action Plan

11.1 The international commitment to halt the world-wide loss of animal and plant species and their genetic resources was agreed in June 1992 in Rio de Janeiro, at the United Nations Conference on the Environment and Development (the Earth Summit).

11.2 Following this, the UK government produced the UK Biodiversity Action Plan (1994), which sets out the national objectives and targets for the conservation and enhancement of habitats and species in the UK.

11.3 Local Biodiversity Action Plans (LBAPs) have been produced to ensure that the national strategy is translated into action at the local level. The LBAP for the Erewash Borough is the Lowland Derbyshire LBAP, copies of which are available to view in the Council's Town Halls, by visiting the Lowland Derbyshire Biodiversity Partnership website or contacting the Lowland Derbyshire Biodiversity Partnership at Derbyshire County



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Council - contact details can be found in the table at paragraph 22 of this document. This LBAP contains important priority species and habitats that require protection. In considering development proposals the Council will consider whether habitats and species identified within the LBAP will be affected.

Erewash Borough sites of biodiversity conservation value

12.1 There are a variety of statutory and non-statutory designations that cover sites of nature conservation and wildlife value within the Borough of Erewash. The following table summarises the various designations:

| Site designation | Type and Level | Number of sites within Erewash | Responsible body for selection and designation |
|--|---------------------------|--------------------------------|--|
| Sites of Special Scientific Interest (SSSI) | Statutory National | 2 | Natural England |
| Local Nature Reserve (LNR) | Statutory Local | 9 | Erewash Borough Council |
| Regionally Important Geological Sites (RIGS) | Non-statutory Regional | 7 | Derbyshire RIGS Group |
| Wildlife Sites | Non-statutory Local | 90 | Derbyshire Wildlife Sites Panel |

Table 12.1 Nature Conservation Site Designations in Erewash Borough

Sites of Special Scientific Interest (SSSI)

13.1 Nationally important Sites of Special Specific Interest (SSSIs) receive statutory protection under Section 28 of the Wildlife and Countryside Act 1981 as amended by the Countryside and Rights of Way Act 2000, which has provided a statutory underpinning for conserving both biodiversity and geology. Natural England must be consulted before any permission is granted for a development which directly affects such a site. Applications for planning permission for a development that is likely to have an adverse effect on a SSSI (whether the development is to be located within or outside of the SSSI, and regardless of whether the impacts arise solely as a result of the development or in combination with other developments) will only be granted



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in exceptional circumstances and will normally be resisted. Where permission is granted, conditions and/or planning obligations will be sought to fully mitigate against or compensate for such harmful impacts, to ensure the conservation, and where possible, enhancement of the sites features of interest. Within the Borough there are two SSSIs as detailed in Table 2 below and as indicated on the Proposals Map of the Erewash Borough Local Plan Adopted July 2005.

Local Nature Reserve (LNR)

14.1 Local Nature Reserves are designated by the Borough Council as a resource for the local community and for their biodiversity value. LNRs receive statutory protection under Section 21 of the National Parks and Access to the Countryside Act (1949). There are nine sites currently designated within the Borough as detailed in Table 2 below and as indicated on the Proposals Map of the Erewash Borough Local Plan Adopted July 2005.

| Type | Sites | Location |
|--------------|--|--------------|
| SSSI | Morley Moor Brickpits SSSI, off Brick Kiln Lane | Morley Moor |
| SSSI and LNR | Breadsall Railway Cutting SSSI, between A608 and Lime Lane | Breadsall |
| <u>LNR</u> | St Chads LNR, Church Wilne | Church Wilne |
| LNR | Forbes Hole | Long Eaton |
| LNR | Fox Covert, WestPark | Long Eaton |
| LNR | Pewit Carr, by NutbrookCanal | Ilkeston |
| LNR | Pioneer Meadows, south of Kirk Hallam | Kirk Hallam |
| LNR | Stanton Gate, north of bridge by ErewashCanal | Sandiacre |
| LNR | Stony Clouds | Sandiacre |
| LNR | Trowell Marsh, North of Hallam Fields Lock | Stanton |

Table 14.1 Designated sites as shown on the Erewash Borough Local Plan Proposals Map

Sites of Importance for Nature Conservation (SINC)

15.1 Sites of Importance for Nature Conservation (including Wildlife Sites and RIGS) are sites that have been selected for their nature conservation interest (or geological interest in the case of RIGS), in accordance with strict criteria. They are sites that are protected by the policies in the Local Plan.



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15.2 Wildlife Sites are recognised as being important local sites for biodiversity conservation through national planning policy statement (PPS9). The Derbyshire Wildlife Trust manages the Erewash Borough Wildlife Sites Register (WSR) as part of a Service Level Agreement between the Borough Council and the Trust. There are currently 90 Wildlife Sites in Erewash as listed in Appendix 4. Refer to Appendix 4 5 for indicative location plans. For detailed descriptions and information about the sites, please refer to the Wildlife Sites Register, as this is updated annually by the Derbyshire Wildlife Trust. There is a continuous process of site review and designation as set out in the Wildlife Sites Handbook which can be viewed at www.derbyshirebiodiversity.org.uk/sites/handbook/index.php. The Borough Council will, as soon as is practicable, amend this SPD to reflect any changes to the WSR. All sites, whether existing or new, are automatically protected by the Local Plan policy, whether they are listed in this SPD or not. The Derbyshire Wildlife Trust has an important role in commenting on planning applications affecting wildlife sites. The WSR is available for viewing at the Borough Council's Town Hall offices in Long Eaton and Ilkeston and the Derbyshire Wildlife Trust offices at Belper. Please contact either the Borough Council or Derbyshire Wildlife Trust for further information – for contact details refer to paragraph 22.

15.3 RIGS are sites selected at the local level according to the following nationally agreed criteria:

- the value of a site for educational purposes in life-long learning;
- the value of a site for study by both amateur and professional Earth scientists;
- the historical value of a site from an Earth science perspective;
- the aesthetic value of a site from an Earth science perspective.



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- 15.4** RIGS do not have formal statutory protection in the same way as SSSIs or LNRs, but they can be protected through the planning process. There are eight RIGS within the Erewash Borough as detailed in Appendix 4 and as indicated on the Proposals Map of the Erewash Borough Local Plan Adopted July 2005.

Other Sites

- 16.1** A non-designated site may still contain important wildlife features and therefore all potential development sites need to be checked for the presence of protected species, habitats or species of principle importance (as identified in the UK Biodiversity Action Plan or the Lowland Derbyshire Local Biodiversity Action Plan), or other features of nature conservation interest.

The Development Process: Preparing your planning application

- 17.1** When considering a planning application for development, Erewash Borough Council must ensure that the proposals do not, in any way, contravene any planning policy or wildlife legislation. It is therefore important that the applicant gathers and provides all necessary information in order that the biodiversity value of the site and its immediate surroundings can be determined, prior to designing the proposed scheme and submitting the planning application. If an application is submitted without appropriate biodiversity information necessary to allow the full consideration of the proposal, the Borough Council may treat the application as being invalid under article 5(4) of the GDPO 1995 and therefore not register it. This direction is made under regulation 4 of the Town and Country Planning (Applications) Regulations 1988.
- 17.2** For ease of reference a Biodiversity Checklist for Proposed New Development has been produced and is attached at Appendix 5. Erewash Borough Council advises all applicants to use this checklist to determine whether their proposed development will impact on biodiversity and ascertain whether any surveys are required. The use of the form will speed up the planning process for applicants. The checklist should be completed and submitted with the planning application. The relevant Planning Officer will check the application to determine whether all relevant information is included. If it is then the application will be registered. If there is outstanding information, the application will not be registered and a request for this information will be made to the applicant.
- 17.3** A comprehensive list of information and sources relating to biodiversity, which may be beneficial to applicants, can be found at www.derbyshirebiodiversity.org.uk



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Stage 1: Pre-Application Gathering of Information

- 17.4** Before designing your proposed development and submitting a planning application to the Council you need to follow these simple steps:
- 17.5** Determine if the area is a **designated site**, contains **protected species** or has any **local biodiversity interest**. Initial determination as to whether a survey is required should be apparent from simply walking the site and checking for the presence of habitats such as trees, hedges, old buildings, ponds etc. which are likely to support wildlife. It is important to find out if the site forms part of a network of habitats, or is a stepping stone between habitats. The Government has recognised that such features are crucial for biodiversity as they can provide routes for the migration, dispersal and genetic exchange of species in the wider environment. Such networks should therefore be protected from development and where possible strengthened by or integrated within it.
- 17.6** If a survey is needed, the level of data required and the time taken to collect it will vary according to the size of the development and the habitats and species concerned. There are certain times of year when surveys are best conducted for different species and this needs to be taken into account.
- 17.7** Check if the site is within other protected land designations such as green belt, conservation areas or the Derwent Valley Mills World Heritage Site, contains trees protected by a Tree Preservation Order or hedgerows protected by the Hedgerows Regulations. Such designations could have significant impacts on the potential development of the site and the requirement for sensitive design.
- 17.8** Some developments require an Environmental Impact Assessment (EIA) under the Town and Country Planning regulations 1999. Applicants should check with the Council before submitting an application to determine if an EIA is required. An EIA will be required where a proposal for a Schedule 2 development will potentially affect:
- a Site of Special Scientific Interest, Local Nature Reserve or Site of Importance for Nature Conservation;
 - an ancient woodland;
 - a site supporting a LBAP habitat of conservation concern;
 - a legally protected species which has been recorded on or near the site.



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17.9 If there are no biodiversity features on the site, consider whether there are opportunities to create new habitats in line with the Lowland Derbyshire Biodiversity Action Plan or discuss opportunities with local wildlife organisations.

17.10 Ecological surveys must be carried out to a satisfactory level, by suitably qualified and experienced people. A list of professional ecologists can be obtained from the Institute of Ecology and Environmental Management (IEEM) or the local Derbyshire Wildlife Trust. The Borough Council would require standard best practice habitat and species survey methods to be used, such as the Nature Conservancy Council Handbook for Phase 1 Habitat Survey (1990). A survey would be expected to also include, where possible, a basic assessment of the impacts of a proposed development and recommend alternatives and mitigation measures.



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17.11 An ecological survey should contain the following:

- a survey map of habitats and key landscape features of the site according to Natural England's Phase 1 methodology;
- a description of the surrounding ecological network, identifying key habitats or landscape features likely to be affected indirectly by the proposed development;
- key species which are likely to be affected, either directly or indirectly, by the development. This should include a review of existing records and targeted surveys where necessary. The methodology of any surveys must be clearly described, and Derbyshire Wildlife Trust and Derby Biological Record Centre contacted for existing records;
- an objective evaluation of these habitats and species according to their status within the LBAP, UKBAP, national and local Red Data Book and relevant legislation, clearly stating the criteria by which this evaluation is made;
- an objective assessment of the value of the site according to the Ratcliffe Criteria (a standard method employed by ecologists to evaluate sites for nature conservation);
- a description of the nature, scale, duration and significance of potential direct and indirect effects on habitats and species arising from the proposed development, stating criteria used;
- how the applicant proposes to:
 - **avoid** harm to the biodiversity interest
 - **mitigate** to reduce harm that cannot be avoided
 - **compensate** for the loss of habitats or species
 - **enhance** biodiversity over and above compensation

17.12 Relevant **species surveys** should accompany the habitat survey as part of the planning application. This should include:

- Species population and distribution levels at the site affected by the development
- Impact of the development on the species
- Details of possible avoidance, mitigation and/or compensation measures
- Details as to whether the proposed mitigation measures require a licence from DEFRA/ Natural England.

17.13 If an application is submitted on a site with clear biodiversity interest without sufficient survey information, the Council will always request that relevant surveys be carried out. As stated in paragraph 18.1 above, if an application is submitted without appropriate biodiversity information necessary to allow the full consideration of the proposal, the Borough Council may treat the application as being invalid under article



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5(4) of the GDPO 1995 and therefore not register it. It is therefore in the applicants best interests to ensure that such information is included when the planning application is submitted. Due to the need to carry out surveys at different times of the year for different species and habitats, it is essential that applicants fully comprehend the requirement to provide up to date and relevant data. If this requires surveys to be carried out over several seasons then this must be recognised and worked in to the proposed timetable for the development of the site. Applicants should remember that they must prove an overriding need for the development, and consider appropriate alternatives in order for it to be permitted under relevant policies.

17.14 It should be noted that a High Court decision (R v Cornwall County Council ex parte Jill Hardy, 22 September 2000) demonstrated the necessity of pre-determination surveys, by quashing a planning permission that had been granted in the absence of such surveys. It is therefore important that sufficient data is gathered at appropriate times of year. It should also be noted that where European protected species are present and a licence is required from DEFRA, the grant of planning permission does not automatically mean that the licence will also be granted.

17.15 The following table gives examples of when surveys may be required dependent on the habitat features present on the site. The list is not exhaustive and is indicative only.

| Habitat | Main species surveys likely to be required |
|---------------------------------|--|
| Pond, river, stream, canal etc. | Otters, water voles, great crested newts and other amphibians |
| Wetland | Vegetation communities |
| Barn or other older building | Bats, barn owls and other nesting birds |
| Tunnel, cave or mine | Bats |
| Grassland | Vegetation communities, badgers, reptiles, amphibians, nesting birds, butterflies |
| Woodland | Vegetation communities, badgers, reptiles, amphibians, nesting birds, butterflies, dormice |
| Mature trees | Bats, nesting birds, |
| Hedgerows | Dormice, Badgers, Nesting birds, |
| Brownfield site | Vegetation communities, mammals, birds, invertebrates and amphibians |

Table 17.1 Examples of when surveys may be required



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Stage 2: Design

17.16 The design stage should lead clearly from the survey information gathered at stage 1. In considering the requirements for sustainable development, it is imperative that features of existing biodiversity interest within a site are protected, enhanced and restored wherever possible. Principles of best practice in terms of sustainable design should be used and where possible areas for habitat creation should be optimised. The key elements to focus on when designing any development include:

17.17 Protecting existing biodiversity as a minimum, by designing the scheme in such a way that it retains areas of wildlife value within the site. Consideration also needs to be given to features outside the application site which may be affected by the scheme.

17.18 Enhancing and restoring areas of limited biodiversity interest within sites to ensure that it contributes to sustainable development and enhances the Borough's urban and rural areas overall. Opportunities to improve existing habitats or create new ones for biodiversity conservation will also increase the overall quality of the development, so long as local landscape character is taken in to account.

17.19 Maximising the Wildlife Value of New Development. Most developments, whatever their size, can incorporate features to benefit wildlife. In particular, the following should be considered:

- retaining the most valuable existing habitats and features, and ensuring that their viability is not threatened by changes in ground water levels or damage during construction;
- including a high proportion of planting native to the local area (and ideally using plants or seed from local sources) into landscaping schemes, particularly recreating mixtures of species found naturally. The Derbyshire Wildlife Trust Habitat Creation Guide can help;
- instigating structural planting along boundaries early on, to provide a refuge for wildlife disturbed by construction, as well as a mature setting for the development;
- where development is phased, undertaking low cost planting or seeding of vacant sites with native trees, shrubs and wildflowers to provide a temporary wildlife refuge;
- designing planting schemes to form a network of vegetation throughout the site;
- interconnecting the site's habitat network with adjacent habitats;
- using surface water disposal systems to create ponds and wetlands;



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- maintaining the natural banks of rivers and streams and incorporating a buffer zone of vegetation;
- putting up bird and bat boxes in trees and buildings.

17.20 Mitigating harm through the provision of appropriate mitigation measures, may be considered, where it is not possible to avoid harm to habitats and species. The normal process is such that the applicant should propose appropriate mitigating measures, to be discussed with the Borough Council and once agreed these will normally be the subject of planning conditions or planning obligations. Examples of appropriate mitigation could include:

- Timing the development to avoid relevant breeding seasons
- Creating buffer zones around sensitive areas
- Maintaining habitat connectivity and avoiding habitat fragmentation both during and after works
- Designing drainage systems so that the hydrological nature of sensitive sites is maintained (consider sustainable drainage systems where relevant)
- Build new structures with 'built-in' wildlife friendly features such as bat roost or bird nesting sites in buildings or bridges that can aid the safe movement of wildlife between habitats
- Providing a financial contribution to the management of nearby existing wildlife areas, where the development could lead to increased use and therefore increase noise and disturbance.

17.21 It must be remembered that mitigation, no matter how well intentioned, by its very nature involves harm of some form. Where the proposed mitigation measures are insufficient in relation to the existing biodiversity to be mitigated against, planning permission may be refused on these grounds, subject to other planning issues having been considered.

17.22 Compensating for any loss of existing biodiversity may be considered, where damage is unavoidable and will still occur despite mitigation. This may involve the creation of new habitats on or off site to replace that lost by the development. Compensating for loss will only occur in very limited circumstances and as a last resort, where the need for the development clearly outweighs the biodiversity to be lost. It must be remembered that existing habitat has acquired biodiversity value over a long period of time and some habitats, such as ancient woodland for example, are irreplaceable. The loss of such irreplaceable habitats will not be acceptable in any circumstances and therefore compensation will not apply. Habitat that has been artificially recreated is generally of lower biodiversity value initially and this needs to be reflected in the compensation offered. The Borough Council will expect any compensatory measures to be substantially larger in area than the habitat being lost, to be considered in any way equivalent. Consideration could also be given to habitat and species translocation,



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but again only as an absolute last resort, due to the high risk, problematic and often unsuccessful nature of this technique. In no way would an offer of compensation for loss of habitat, make unacceptable development, acceptable.

17.23 Any habitat restoration or creation scheme will obviously be determined by the location and physical attributes of the site, for example the soil type and hydrology. The scheme should recognise adjacent habitats and include links between the newly created habitat and the surrounding habitat network to encourage species colonisation of the new area. A landscape plan will be required as part of the scheme setting out the locations and specifications of the habitats to be created. This should have regard to LBAP priorities and targets and the Derbyshire Landscape Guidelines.

Stage 3: Monitor and Manage

17.24 In designing a successful development scheme that incorporates and enhances existing biodiversity, or creates opportunities for habitat creation, the use of monitoring and management tools are crucial. Where possible such measures should be included as part of the planning application in the form of a monitoring and management plan, to ensure that the proposed impact on biodiversity can be properly considered at the application stage. Where appropriate, the Borough Council will use planning conditions and planning obligations to ensure that the measures proposed are implemented.



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Contacts

| Organisation | Contact Details | Role in Planning Process |
|---------------------------|---|--|
| Erewash Borough Council | Town Hall Long Eaton NG10 1HU Tel: 0115 907 2244 Email: planning@erewash.gov.uk Website: www.erewash.gov.uk | Local Planning authority for all planning applications other than minerals and waste |
| Derbyshire County Council | Environmental Services Shand House Dale Road South Matlock Derbyshire DE4 3RY Tel: 01629 580000 Email: environmentalservices@derbyshire.gov.uk Website: www.derbyshire.gov.uk | Minerals and Waste Planning Authority – decide whether planning consent is granted for minerals and waste planning applications. |
| Derbyshire Wildlife Trust | East Mill Bridge Foot Belper Derbyshire DE56 1XH Tel: 01773 881188 Email: enquiries@derbyshirewt.co.uk Website: www.derbyshirewildlifetrust.org.uk | Consultee to relevant planning applications, particularly affecting Wildlife Sites, but also other sites. |
| Natural England | ‘Endcliffe’ DeepdaleBusinessPark Ashford Road Bakewell Derbyshire DE45 1GT Tel: 01629 816640 | Statutory consultee to relevant planning applications and Government advisor on protected species and statutory sites |



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| Organisation | Contact Details | Role in Planning Process |
|---|---|---|
| | Email: peak.derbys@english-nature.org.uk Website: www.english-nature.org.uk | |
| Environment Agency | Lower Trent Area Office Trentside Offices Scarrington Road West Bridgford Nottinghamshire NG2 5FA Tel: 08708 506506 Email: enquiries@environment-agency.gov.uk Website: www.environment-agency.gov.uk | Statutory consultee to relevant planning applications. Deals with consent requirements for water abstraction, land drainage, impoundment and discharge as well as management affecting drainage or flood defence. |
| DEFRA | European Wildlife Division TempleQuay House 2 The Square, TempleQuay Bristol BS1 6EB Defra Helpline: 08459 335577 Email: helpline@defra.gsi.gov.uk Website: www.defra.gov.uk | Consultee on all minerals and waste planning applications. Licensing body for European protected species. |
| Lowland Derbyshire Biodiversity Partnership | c/o Derbyshire County Council Environmental Services Shand House Dale Road South Matlock Derbyshire DE4 3RY Tel: 01629 585611 Email: debbie.court@derbyshire.gov.uk Website: www.derbyshirebiodiversity.org.uk | Co-ordinates the implementation of the Lowland Derbyshire Biodiversity Action Plan. |



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Reference documents

Derbyshire Wildlife Sites Panel (2005) *Derbyshire Wildlife Sites Handbook*. Derbyshire Wildlife Trust

Derbyshire Wildlife Sites Panel (2005) *Wildlife Sites Register for Erewash*. Derbyshire Wildlife Trust

Derbyshire Wildlife Trust (2001) *Habitat Creation Guide*. Derbyshire Wildlife Trust

Lowland Derbyshire Biodiversity Partnership (2005) *Lowland Derbyshire Biodiversity Action Plan*.

Planning Policy Statement 9 (PPS9): Biodiversity and Geological Conservation

Circular 06/2005 – Biodiversity and Geological Conservation: Statutory Obligations and Their Impact within the Planning System

Erewash Borough Local Plan Adopted July 2005

Species Protected by Law – Guidance for Local Planning Authorities in Derbyshire (second edition 1996), Derbyshire County Council



Biodiversity SPD

Glossary of Terms

Biodiversity

Short for biological diversity and includes the total variety of plants and animals that exist throughout the world. This includes diversity within species, between species and of ecosystems.

Biodiversity Action Plan (BAP)

A framework for achieving the conservation of biodiversity based on the targeting of resources towards priority species and habitats. The Lowland Derbyshire Biodiversity Action Plan has been produced by the Lowland Derbyshire Biodiversity Partnership and seeks to conserve and enhance Lowland Derbyshire's existing wildlife and to redress past losses through habitat conservation, restoration, recreation and targeted action for priority species. The action plans will be implemented through the Lowland Derbyshire Biodiversity Partnership and will be monitored and periodically updated and fully reviewed in 2010. Plans can be downloaded from www.derbyshirebiodiversity.org.uk.

Environmental Impact Assessment (EIA)

A process of assessing the effects of proposed development on the environment. Used as part of the planning process

Habitat

A place in which a particular plant or animal lives, feeds and breeds, groups of plants or animals or assemblages such as woodland habitat or grassland habitat.

Local Nature Reserve (LNR)

A place that is of special nature conservation interest locally, declared and managed locally by local authorities under the National Parks and Access to the Countryside Act 1949

Material consideration

In principle, any consideration which relates to the use and development of land is capable of being a planning consideration.

Site of Special Scientific Interest (SSSI)



Biodiversity SPD

Designation under Section 28 of the Wildlife and Interest Countryside Act, 1981, of an area of land of special interest due to its flora, fauna, geological or physical features.

Sustainable Development

Development that meets the needs of the present without compromising the ability of future generations to meet their own needs

Sustainable Drainage Systems (SuDS)

Drainage systems that are designed to control the quantity and improve the quality of run-off from developments and enhance the wildlife, landscape and amenity value of developments

Wildlife Site

Sites that have been designated for their nature conservation interest in accordance with strict criteria, as set out in the Erewash Wildlife Sites Register and the accompanying Guidelines for Selection document.



Biodiversity SPD

Local Plan Policies

Policy

POLICY LP1 - SUSTAINABLE DEVELOPMENT

THE BOROUGH COUNCIL WILL REQUIRE ALL DEVELOPMENT PROPOSALS TO REFLECT THE PRINCIPLES OF SUSTAINABLE DEVELOPMENT, BY:

- 1. BEING WELL-RELATED TO EXISTING PATTERNS OF DEVELOPMENT**
- 2. RE-USING LAND AND BUILDINGS WHEREVER POSSIBLE IN PREFERENCE TO GREENFIELDLAND**
- 3. PROTECTING AND ENHANCING THE QUALITY OF THE BUILT AND NATURAL ENVIRONMENT**
- 4. MINIMISING THE NEED TO TRAVEL BETWEEN HOME, WORK AND OTHER ACTIVITIES AND PROVIDING OPPORTUNITIES FOR JOURNEYS OTHER THAN BY CAR**

Policy

POLICY EV1 - EREWASH VALLEY

WITHIN THE EREWASH VALLEY THE BOROUGH COUNCIL WILL SEEK TO PROTECT AND ENHANCE ITS WILDLIFE AND ITS HISTORIC ENVIRONMENT, PROVIDE COUNTRYSIDE RECREATION FACILITIES AND RECLAIM DERELICT LAND. AS OPPORTUNITIES ARISE THE COUNCIL WILL SEEK TO ENTER INTO SECTION 106 OBLIGATIONS WITH DEVELOPERS TO SECURE THE PROTECTION AND ENHANCEMENT OF THE EREWASH VALLEY.



Policy

POLICY EV10 - SITES OF SPECIAL SCIENTIFIC INTEREST, REGIONALLY IMPORTANT GEOLOGICAL SITES AND GEOMORPHOLOGICAL SITES, LOCAL NATURE RESERVES AND SITES OF IMPORTANCE FOR NATURE CONSERVATION.

- 1. DEVELOPMENT IN OR LIKELY TO AFFECT SITES OF SPECIAL SCIENTIFIC INTEREST (SSSI) WILL BE SUBJECT TO SPECIAL SCRUTINY. WHERE SUCH DEVELOPMENT MAY HAVE AN ADVERSE EFFECT, DIRECTLY OR INDIRECTLY ON THE SPECIAL INTEREST OF THE SITE IT WILL NOT BE PERMITTED UNLESS THE REASONS FOR THE DEVELOPMENT CLEARLY OUTWEIGH THE NATURE CONSERVATION VALUE OF THE SITE ITSELF AND THE NATIONAL POLICY TO SAFEGUARD SUCH SITES.**
- 2. DEVELOPMENT LIKELY TO HAVE A SIGNIFICANT ADVERSE EFFECT ON A LOCAL NATURE RESERVE, A SITE OF IMPORTANCE FOR NATURE CONSERVATION OR A REGIONALLY IMPORTANT GEOLOGICAL/ GEOMORPHOLOGICAL SITE, WILL NOT BE PERMITTED UNLESS IT CAN BE DEMONSTRATED THAT THERE ARE REASONS FOR THE PROPOSAL WHICH OUTWEIGH THE NEED TO SAFEGUARD THE NATURE CONSERVATION VALUE OF THE SITE.**

IN ALL CASES WHERE DEVELOPMENT IS PERMITTED WHICH WOULD DAMAGE THE NATURE CONSERVATION VALUE OF THE SITE OR FEATURE, SUCH DAMAGE WILL BE KEPT TO A MINIMUM. CONDITIONS AND/OR SECTION 106 PLANNING OBLIGATIONS WILL BE USED TO SECURE NECESSARY MITIGATION OR COMPENSATORY MEASURES.



Policy

POLICY EV11 - PROTECTED SPECIES AND THREATENED SPECIES

DEVELOPMENT THAT WOULD CAUSE EITHER INDIRECT OR ADVERSE IMPACTS ON SPECIES THAT ARE PROTECTED BY LAW OR IDENTIFIED AS NATIONALLY RARE WILL ONLY BE PERMITTED WHERE:

- 1. A FULL AND DETAILED SURVEY HAS BEEN CARRIED OUT BY A QUALIFIED ECOLOGICAL CONSULTANT TO DETERMINE THE STATUS OF THE POPULATION, THE LIKELY IMPACT OF ALL PHASES OF THE DEVELOPMENT AND ANY MITIGATION THAT MAY BE NECESSARY.**
- 2. PROPOSALS ARE SUBMITTED AND SUPPORTED BY A SECTION 106 OBLIGATION THAT CLEARLY DEMONSTRATES HOW THE NECESSARY MITIGATION WILL BE ACHIEVED SO THAT FAVOURABLE CONSERVATION STATUS OF THE SPECIES CAN BE MAINTAINED ON THE SITE.**
- 3. IT IS NOT A EUROPEAN PROTECTED SPECIES AS DEFINED IN THE 1994 CONSERVATION (NATURAL HABITATS, &C.) REGULATIONS. MITIGATION MEASURES MAY BE PROPOSED IN ORDER TO AVOID OR REDUCE DISTURBANCE TO AN ACCEPTABLE LEVEL. HOWEVER, PERMISSION WILL BE GRANTED ONLY WHERE IMPACTS HAVE BEEN CLEARLY IDENTIFIED IN AN ECOLOGICAL AND/OR GEOLOGICAL STATEMENT, AND ACCEPTABLE MEASURES TO MINIMISE OR REMOVE THE IMPACT CAN BE IMPLEMENTED, MANAGED OR MONITORED IN ACCORDANCE WITH AN AGREED SCHEME. PRIORITY WILL BE GIVEN TO RETAINING OR REPLACING AS MANY OF THE IMPORTANT FEATURES ON THE SITE. THE BOROUGH COUNCIL WILL REQUIRE EVIDENCE TO DEMONSTRATE THAT THE RETENTION OR REPLACEMENT IS UNVIALE PRIOR TO CONSIDERING OFF SITE REPLACEMENTS, WHICH WILL BE ALLOWED ONLY AS A LAST RESORT. WHERE SUCH MEASURES CANNOT BE SECURED BY APPROPRIATE PLANNING CONDITIONS THEY WILL BE SECURED VIA LEGAL AGREEMENTS AND SECTION 106 OBLIGATIONS.**



Policy

POLICY EV12 - NATURE CONSERVATION – PLANNING OBLIGATIONS AND CONDITIONS

IN CONSIDERING DEVELOPMENT PROPOSALS THE USE OF PLANNING CONDITIONS AND PLANNING OBLIGATIONS WILL BE CONSIDERED WHERE NECESSARY TO OFFSET HARM AND SECURE THE BENEFICIAL MANAGEMENT OF FEATURES OF MAJOR IMPORTANCE FOR WILDLIFE.

Policy

POLICY EV13 - CREATIVE CONSERVATION

CREATIVE CONSERVATION WILL BE CARRIED OUT WHEREVER OPPORTUNITIES ARISE. IN PARTICULAR, THE BOROUGH COUNCIL WILL IMPROVE THE WILDLIFE VALUE OF LAND IN ITS OWNERSHIP ESPECIALLY PUBLIC OPEN SPACE. IN ITS CONSIDERATION OF PLANNING APPLICATIONS THE BOROUGH COUNCIL WILL SEEK TO NEGOTIATE SECTION 106 PLANNING OBLIGATIONS TO CREATE NEW OR IMPROVED HABITATS WHERE THIS IS NECESSARY TO MAKE THE PROPOSALS ACCEPTABLE IN PLANNING TERMS AND WHERE IT CANNOT BE ACHIEVED BY IMPOSING CONDITIONS ON A PLANNING PERMISSION.

Policy

POLICY EV15 - TREE PRESERVATION ORDERS

TREE PRESERVATION ORDERS WILL BE MADE ON INDIVIDUAL TREES, GROUPS OF TREES OR WOODLANDS WHICH MAKE A VALUABLE CONTRIBUTION TO PUBLIC VISUAL AMENITY, AND WHICH ARE CONSIDERED TO BE THREATENED BY DEVELOPMENT OR OTHER ACTIVITY.



Policy

POLICY EV16 - LANDSCAPE CHARACTER

DEVELOPMENT SHOULD RECOGNISE AND ACCORD WITH THE LANDSCAPE CHARACTER WITHIN WHICH IT IS LOCATED HAVING REGARD TO MATERIALS OF CONSTRUCTION, HEIGHT OF BUILDINGS, ROOF DESIGN, LANDSCAPING, MEANS OF ACCESS, DENSITY OF DEVELOPMENT, SUSTAINABLE PATTERNS OF DEVELOPMENT AND TRAFFIC GENERATION BEING APPROPRIATE FOR THE LOCATION OF THE DEVELOPMENT.



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Wildlife Legislation

This appendix only contains a summary of the relevant legislation and should only be used for guidance only.

Wildlife and Countryside Act 1981 (as amended)

This is the main piece of wildlife legislation in England and is summarised as follows:

(a) Protection of wild birds, their nests and eggs

Under Section 1 of the Act it is an offence to intentionally kill, injure or take any wild bird or its eggs or damage its nest while in use or being built (with the exception of a few species which may be controlled by licence or some wildfowl and other game birds which may be taken outside the close season but these birds and their nests are still protected in the close season). A person has to show that any action that had such a result was:

- a. incidental to a lawful operation (such as a planning permission), and
- b. could not reasonably be avoided.

To take an example, if the destruction of a hedge by bulldozing on a housing development was done in the knowledge that it would destroy birds' nests during the breeding season and could reasonably have been re-timed, an offence would have been committed. There have been a number of successful prosecutions where the act had been committed in the reasonable knowledge that it would result in killing or injury.

Additional protection for some bird species

Some rare birds have additional protection. It is an offence to intentionally or recklessly disturb these birds while nesting or rearing young or to disturb the dependant young. In such cases to prove that reasonable care had been taken and could not reasonably have been avoided would be insufficient defence. These rare birds fall into two categories:



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- i. Some birds may not be disturbed at any time: In Derbyshire these include goshawk, all species of harriers, hobby, kingfisher, merlin, barn owl, peregrine and little ringed plover;
- ii. Some birds may not be disturbed during the close season (February 1st - August 31st in most cases). In Derbyshire these include goldeneye and pintail.

(b) Protection of animals other than birds

Under Section 9 of the Act it is an offence to intentionally kill, injure, disturb or take certain animals listed in Schedule 5 of the Act. The species which occur in Derbyshire are:

- all species of bat
- otter
- dormouse
- water vole
- great crested newt
- grass snake)
- slow worm) "kill and injure" only (not "take")
- common lizard)
- crayfish - taking or selling
- certain other species but these are only in respect of selling e.g. Adder, common toad and common frog, palmate newt, smooth newt.

Protection of plants

Under Section 13 of the Act all wild plants are protected against unauthorised intentional uprooting. A greater amount of protection is given to plants listed in Schedule 8 of the Act.

Protection of nests, shelters etc.

The Countryside and Rights of Way Act 2000 amended the Wildlife and Countryside Act 1981 to now make it an offence to 'recklessly' disturb a nest site or a place of rest or shelter of a protected species.

Protection of Badgers Act 1992

Badgers are protected specifically by this Act. Under the Act it is an offence to wilfully kill, injure or take a badger, or attempt to do so. It is also an offence, whether reckless or deliberate, to damage, destroy or obstruct a badger sett, or disturb an animal whilst it is occupying a sett. Use of heavy machinery within 30 metres of a sett requires a licence.



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Conservation (Natural Habitats, &c.) Regulations 1994 and amendments 2000

These Regulations formally transpose the requirements of the EC Habitats Directive into British law. Much of these Regulations are concerned with the designation of European sites, of which there are none in Erewash Borough. The parts that are relevant relate to European protected species as set out in Schedule 2 of the Regulations.

Countryside and Rights of Way Act 2000

Through this Act, the importance of biodiversity conservation has been given a statutory basis, requiring Central Government to have regard for biodiversity in carrying out its functions, and to take positive steps to further the conservation of listed species and habitats. It also strengthened the protection of Sites of Special Scientific Interest and threatened species through amending the Wildlife and Countryside Act 1981.

Hedgerow Regulations 1997

These Regulations state that all hedgerows which meet certain basic criteria, cannot be removed or breached unless the required notice has been given to the local authority. If the hedgerow is deemed to meet other more detailed criteria it is classed as an 'important hedgerow' and the authority is empowered to refuse permission for its removal either in whole or in part.



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List of Sites of Importance for Nature Conservation (RIGS and Wildlife Sites) in Erewash Borough

4.1 The following lists will change over time and will be updated on a regular basis.

Table 4.1 Regionally Important Geological Sites (RIGS) as shown on the Erewash Borough Local Plan Proposals Map (Adopted July 2005)

| Type | Sites | Location | Grid Ref. |
|------|------------------------------------|-----------------|-----------|
| RIGS | Dale Abbey Cliffs | Dale Abbey | |
| RIGS | Dam Brook | Breadsall | |
| RIGS | Dunshill | Dale Abbey | |
| RIGS | Rigga Quarry | Little Eaton | |
| RIGS | Stanton-by-Dale Golf Course Quarry | Stanton-by-Dale | |
| RIGS | Stanton-by-Dale old Quarry | Stanton-by-Dale | |
| RIGS | Croft Wood | Breadsall | |

Table 4.2 Wildlife Sites in Erewash Borough

| Site No. | Name of Site | Location | Grid Ref. |
|----------|------------------------------------|--------------|---------------------|
| ER 002 | Alfreton Road Rough Grassland | Breadsall | (436,295),(339,811) |
| ER 005 | Breadsall Disused Railway | Breadsall | (437,400),(339,493) |
| ER 010 | Oaklands Brook | Breadsall | (439,304),(337,730) |
| ER 013 | Peckwash Mills | Little Eaton | (435,354),(342,287) |
| ER 019 | CampWood, Little Eaton | Little Eaton | (436,502),(341,083) |
| ER 020 | Cotter Wood, Little Eaton | Little Eaton | (436,513),(341,350) |
| ER 021 | Hatherings Wood, Little Eaton | Little Eaton | (436,025),(420,000) |
| ER 022 | Moor Plantation & Drum Hill | Little Eaton | (437,760),(342,479) |
| ER 023 | Moor Road Fields | Breadsall | (438,114),(340,628) |
| ER 024 | Breadsall Priory Golf Course | Breadsall | (438,059),(341,390) |
| ER 031 | Baguley's Wood, Grassland and Carr | Dale Moor | (445,333),(338,303) |
| ER 033 | Rifle Range Pond | Kirk Hallam | (445,301),(339,500) |
| ER 034 | Pioneer Meadows LNR | Kirk Hallam | (445,518),(339,627) |
| ER 037 | Sawley Carr | Sawley | (446,600),(331,593) |



Biodiversity SPD

| Site No. | Name of Site | Location | Grid Ref. |
|----------|---|-----------------|---------------------|
| ER 038 | Church Wilne Reservoir | Draycott | (446,089),(332,488) |
| ER 040 | Risley Glebe | Risley | (446,130),(335,974) |
| ER 043 | Kirk Hallam Wood | Kirk Hallam | (446,160),(339,683) |
| ER 045 | Sowbrook Pond, New Stanton | New Stanton | (446,348),(339,492) |
| ER 046 | Nutbrook Canal & Fields | New Stanton | (446,411),(339,645) |
| ER 047 | Kirk Hallam Fishing Pond | Kirk Hallam | (446,033),(339,613) |
| ER 050 | Golden Brook Lagoon, Nature Reserve | Breaston | (447,023),(333,205) |
| ER 053 | Quarry Hill Quarry, Stanton | Stanton By Dale | (447,197),(337,827) |
| ER 054 | Stony Clouds LNR and adjacent Grassland | Sandiacre | (447,677),(337,579) |
| ER 055 | Erewash Canal, Hallam | Stanton | (448,029),(339,441) |
| ER 061 | Lock Lane Nature Reserve | Sawley | (448,392),(331,839) |
| ER 062 | Trentlock Marsh | Sawley | (448,756),(331,352) |
| ER 063 | Trentlock Pond | Sawley | (448,921),(331,184) |
| ER 065 | Fox Covert LNR | Long Eaton | (448,686),(333,345) |
| ER 067 | Cloud House, Sandiacre | Sandiacre | (447,954),(337,460) |
| ER 070 | Hagg Lane | Stanley | (442,889),(340,145) |
| ER 073 | West Hallam Common Field | West Hallam | (442,991),(342,346) |
| ER 074 | West Hallam Stream | West Hallam | (444,042),(341,216) |
| ER 075 | Barton Pool Nature Reserve | Attenborough | (450,433),(333,148) |
| ER 076 | Attenborough Junction Tip | Attenborough | (450,433),(333,299) |
| ER 077 | River Trent North Bank | Attenborough | (450,773),(331,589) |
| ER 078 | Attenborough West Gravel Pit | Attenborough | (451,000),(333,100) |
| ER 079 | Toton Sidings Pond | Long Eaton | (449,368),(334,338) |
| ER 080 | Narrow Bridge Fish Pond | Long Eaton | (449,169),(331,574) |
| ER 081 | Sheetstores Junction Pond | Long Eaton | (449,206),(331,694) |
| ER 082 | Poplars Fish Ponds | Long Eaton | (449,340),(331,831) |
| ER 083 | South Junction Fish Pond | Long Eaton | (449,340),(331,944) |
| ER 084 | Waterloo Plantation, Hopwell | Hopwell | (444,103),(336,739) |



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| Site No. | Name of Site | Location | Grid Ref. |
|----------|--------------------------------------|--------------|---------------------|
| ER 089 | Lindridge House Pond, Dale Moor | Dale Moor | (444,966),(338,650) |
| ER 090 | Furnace Pond, Dale Moor | Dale Moor | (444,968),(338,716) |
| ER 092 | Ladywood Disused Pit Woodland | Dale Abbey | (444,450),(339,402) |
| ER 093 | Lady Wood | Dale Abbey | (444,303),(339,800) |
| ER 095 | Arbour Hill, Woodland | Dale Abbey | (443,340),(338,979) |
| ER 101 | Windmill Farm Field, Ockbrook | Ockbrook | (442,729),(335,606) |
| ER 107 | Dunnshill Quarry | Dale Abbey | (442,183),(338,471) |
| ER 108 | The Spots Plantation | Dale Abbey | (443,118),(337,683) |
| ER 109 | Dunshill Verge | Dale Abbey | (442,355),(338,486) |
| ER 112 | Locko Park Lake | Locko Park | (440,726),(338,118) |
| ER 118 | Dunshill Shelterbelt | Dale Abbey | (441,961),(337,614) |
| ER 119 | Spondon Wood | Dale Abbey | (441,118),(337,207) |
| ER 126 | Drum Hill Fields, Breadsall Moor | Little Eaton | (437,153),(342,190) |
| ER 131 | St Chads LNR | Church Wilne | (444,741),(331,896) |
| ER 133 | Meadow Lane Carr | Long Eaton | (449,831),(332,751) |
| ER 134 | Forbes Hole LNR | Long Eaton | (449,560),(332,438) |
| ER 135 | Bennerley Flash | Ilkeston | (447,271),(343,547) |
| ER 136 | Eatonpark Wood | Little Eaton | (436,402),(342,933) |
| ER 137 | Pewit Carr LNR | Ilkeston | |
| ER 141 | Greenwood Avenue Field and Pond | Ilkeston | (447,597),(340,887) |
| ER 144 | Oakwell Brickworks & The Beauty Spot | Ilkeston | (446,030),(340,933) |
| ER 147 | Botany Bay Grassland & Erewash Canal | Ilkeston | (446,827),(344,421) |
| ER 148 | Derby Canal, Borrowash | Borrowash | (441,850),(334,048) |
| ER 150 | Erewash Canal, Trent Lock to Sawley | Sawley | (448,551),(332,177) |
| ER 154 | River Erewash Floodplain, Long Eaton | Long Eaton | (448,654),(334,613) |
| ER 159 | River Trent Upstream of Trent Lock | Trentlock | (448,631),(331,167) |
| ER 161 | Toton Grassland | Ilkeston | (448,333),(335,180) |
| ER 163 | Sandiacre Marsh | Sandiacre | (448,288),(337,489) |



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| Site No. | Name of Site | Location | Grid Ref. |
|----------|-------------------------------------|-----------------|---------------------|
| ER 166 | Lock Lane Scrub, Sandiacre | Sandiacre | (448,128),(335,937) |
| ER 168 | Trowell Marsh LNR | Stanton | (447,879),(339,829) |
| ER 171 | Hayeswood Farm Grassland | Morley Hayes | (441,027),(341,938) |
| ER 174 | Little Wood | Morley Hayes | (440,771),(341,747) |
| ER 175 | Morleyhayes Wood | Morley Hayes | (440,818),(342,336) |
| ER 177 | Dobb's Hill Plantation | Morley Moor | (438,394),(342,591) |
| ER 178 | Hermit's Wood, Dale Abbey | Dale Abbey | (443,992),(338,471) |
| ER 184 | Nutbrook, Canal & Wet Woodland | Kirk Hallam | (445,936),(340,736) |
| ER 188 | Ilkeston Road Pond & Nutbrook Canal | Stanton | (446,694),(339,422) |
| ER 189 | Rope Walk Marsh, Ilkeston | Ilkeston | (447,316),(342,080) |
| ER 190 | Stanley-Morley Disused Railway | Stanley | (441,057),(340,590) |
| ER 191 | West Hallam Marsh | West Hallam | (444,802),(342,424) |
| ER 192 | West Hallam Carr | West Hallam | (444,048),(342,530) |
| ER 193 | Cloves Wood | Morley Moor | (439,600),(342,520) |
| ER 196 | Shipley Wood | Ilkeston | (445,703),(343,817) |
| ER 197 | Basset Farm Meadow | Dale Moor | (445,200),(339,200) |
| ER 198 | Attenborough Pastures | Attenborough | (450,520),(333,927) |
| ER 199 | Awsorth Road Pond | Ilkeston | (447,192),(343,326) |
| ER 200 | Johnson Play Area | Breaston | (444,997),(333,642) |
| ER 201 | Quarry Hill Lagoons | Stanton | (447,433),(339,263) |
| ER 202 | Church Lane, Morley | Morley | (439,837),(340,806) |
| ER 203 | Morley Retreat | Morley | (439,689),(340,899) |
| ER 204 | Stanton Gate LNR | Sandiacre | (448,253),(338,280) |
| ER 205 | Ilkeston Railway Pond | Ilkeston | (446,218),(342,572) |
| ER 206 | Stanton Hall Parkland | Stanton-By-Dale | (446,551),(337,691) |
| ER 207 | Kirk Hallam Meadows | Kirk Hallam | (445,308),(341,017) |
| ER 208 | Nottingham Road Carr | Long Eaton | (449,282),(334,097) |



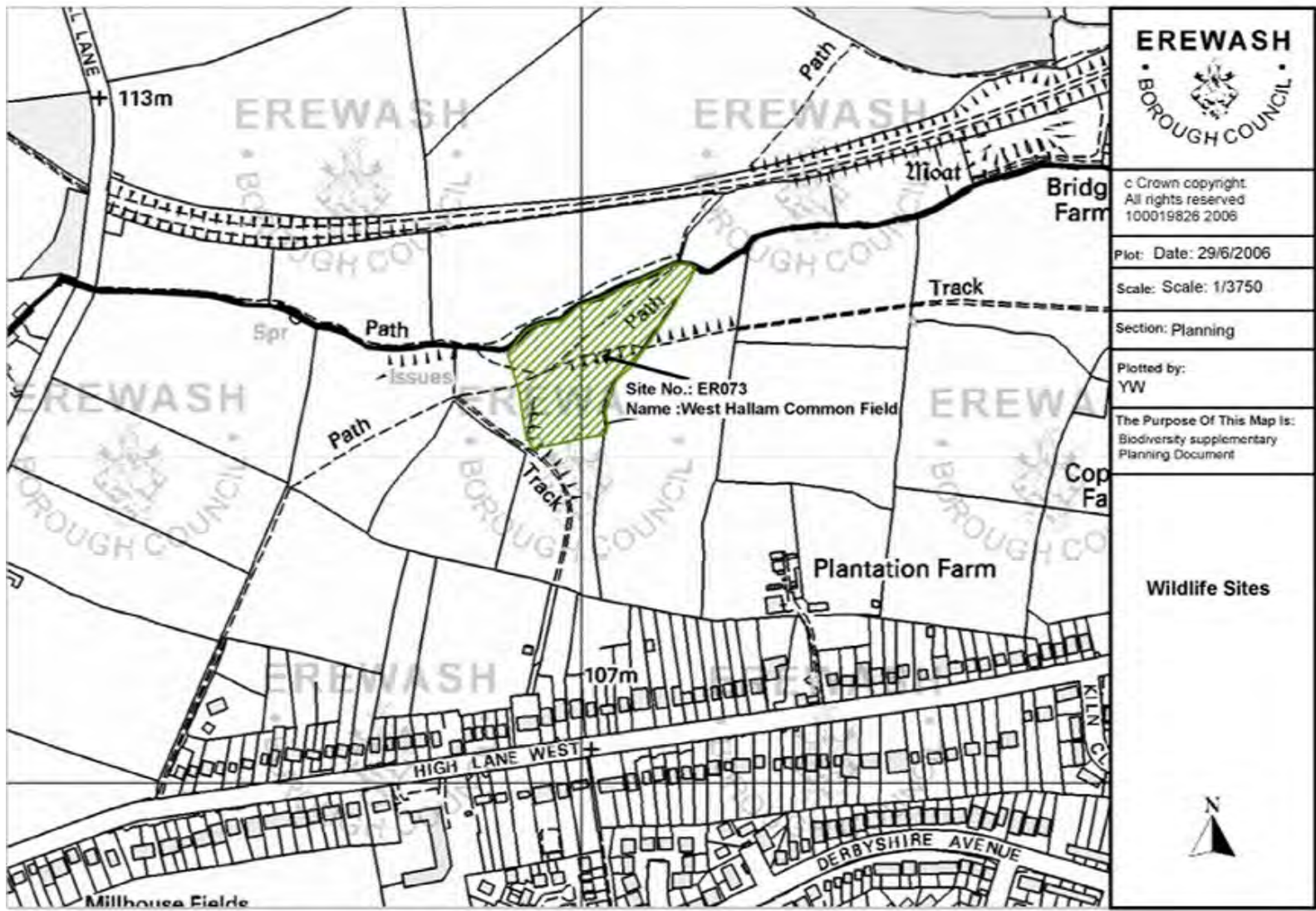
Biodiversity SPD

Maps of Wildlife Sites in Erewash Borough

- 5.1** This appendix contains maps showing the indicative locations of Wildlife Sites within Erewash Borough. Detailed information on each Wildlife Site is available by referring to the Wildlife Sites Register, copies of which are available for reference at the Borough Council's Town Halls in Long Eaton and Ilkeston and from the Derbyshire Wildlife Trust. The maps will change over time and will be updated on a regular basis.

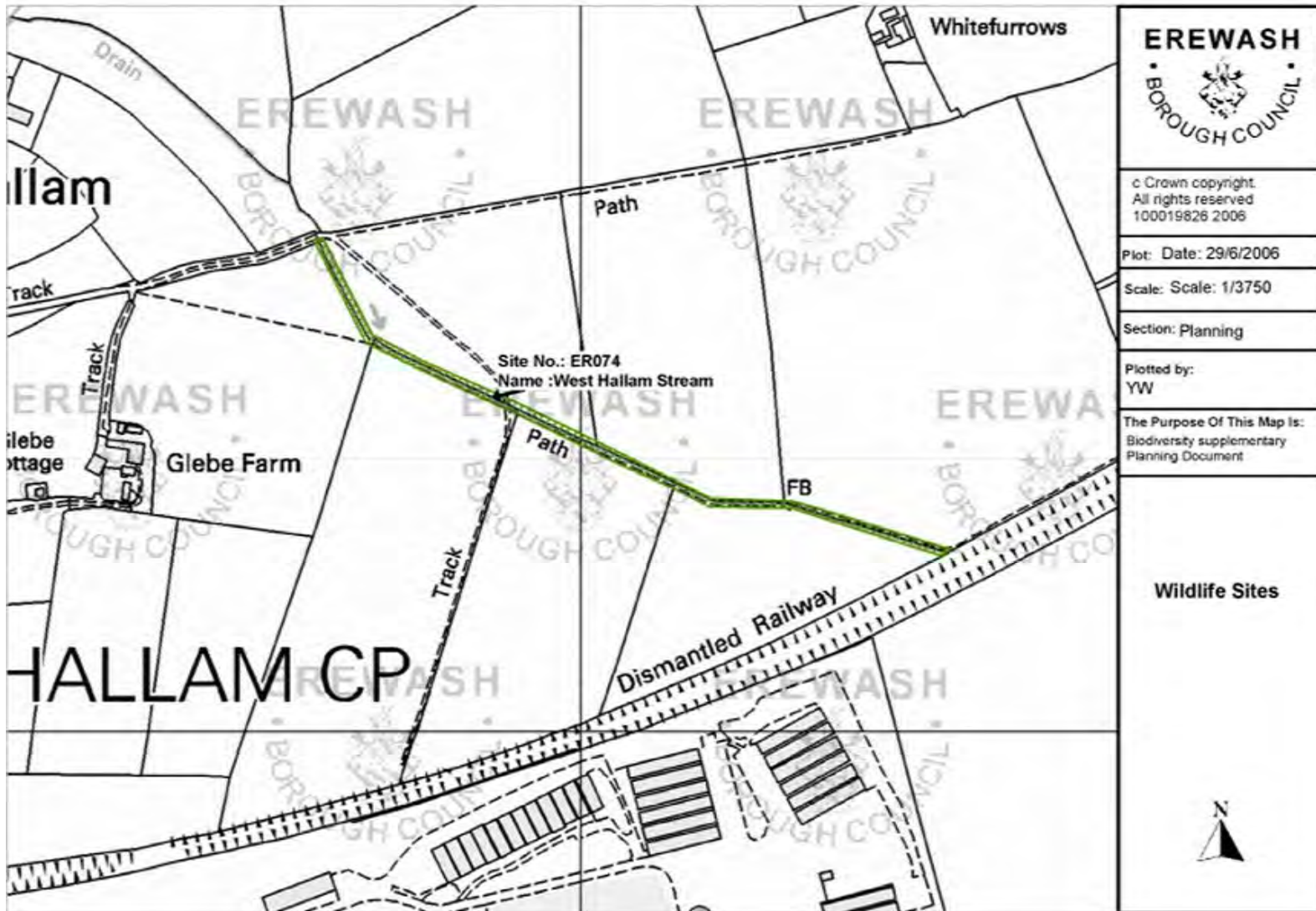


Area 1 - West Hallam and Ilkeston

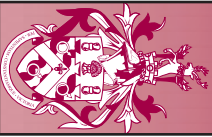


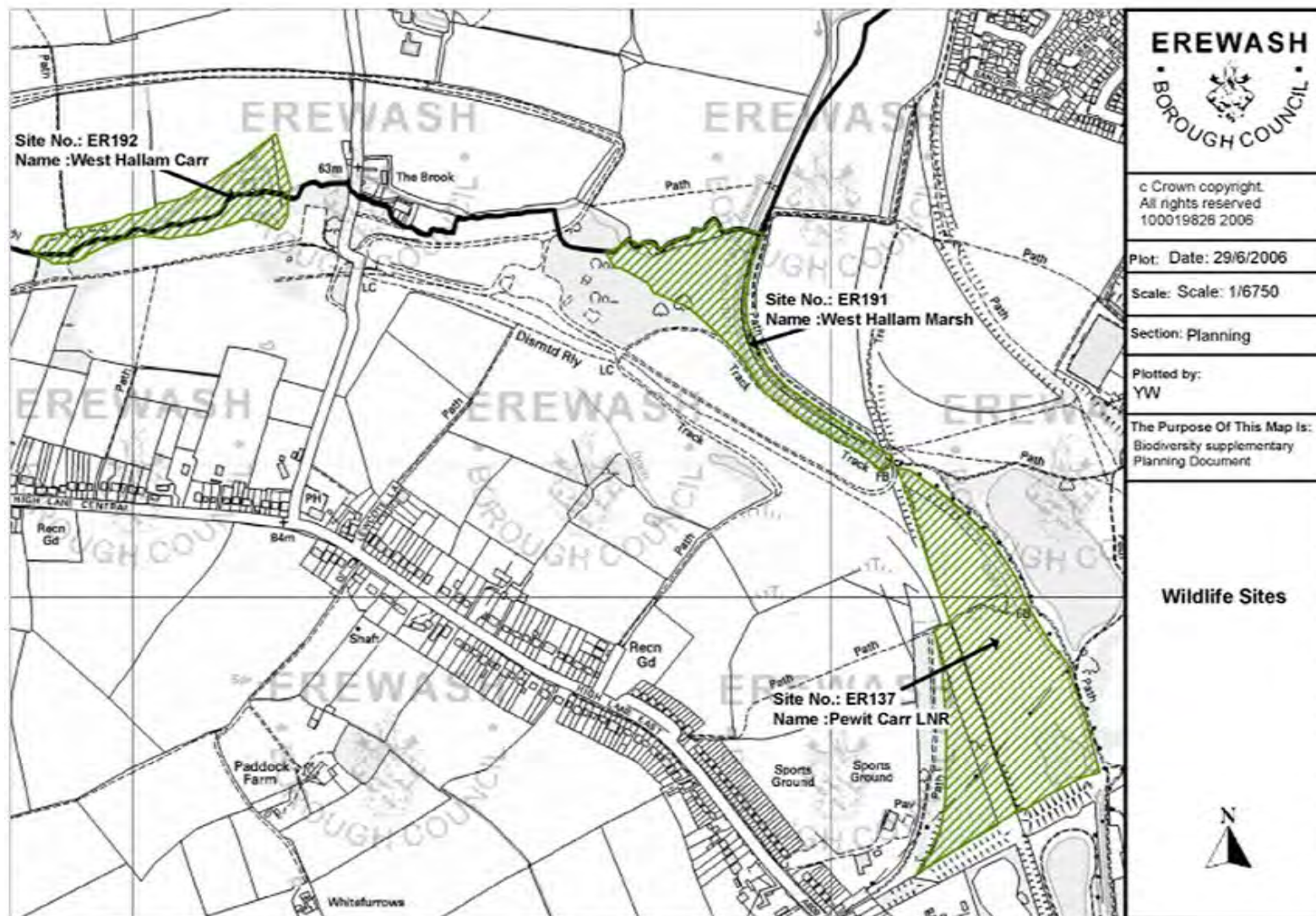
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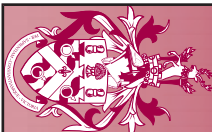


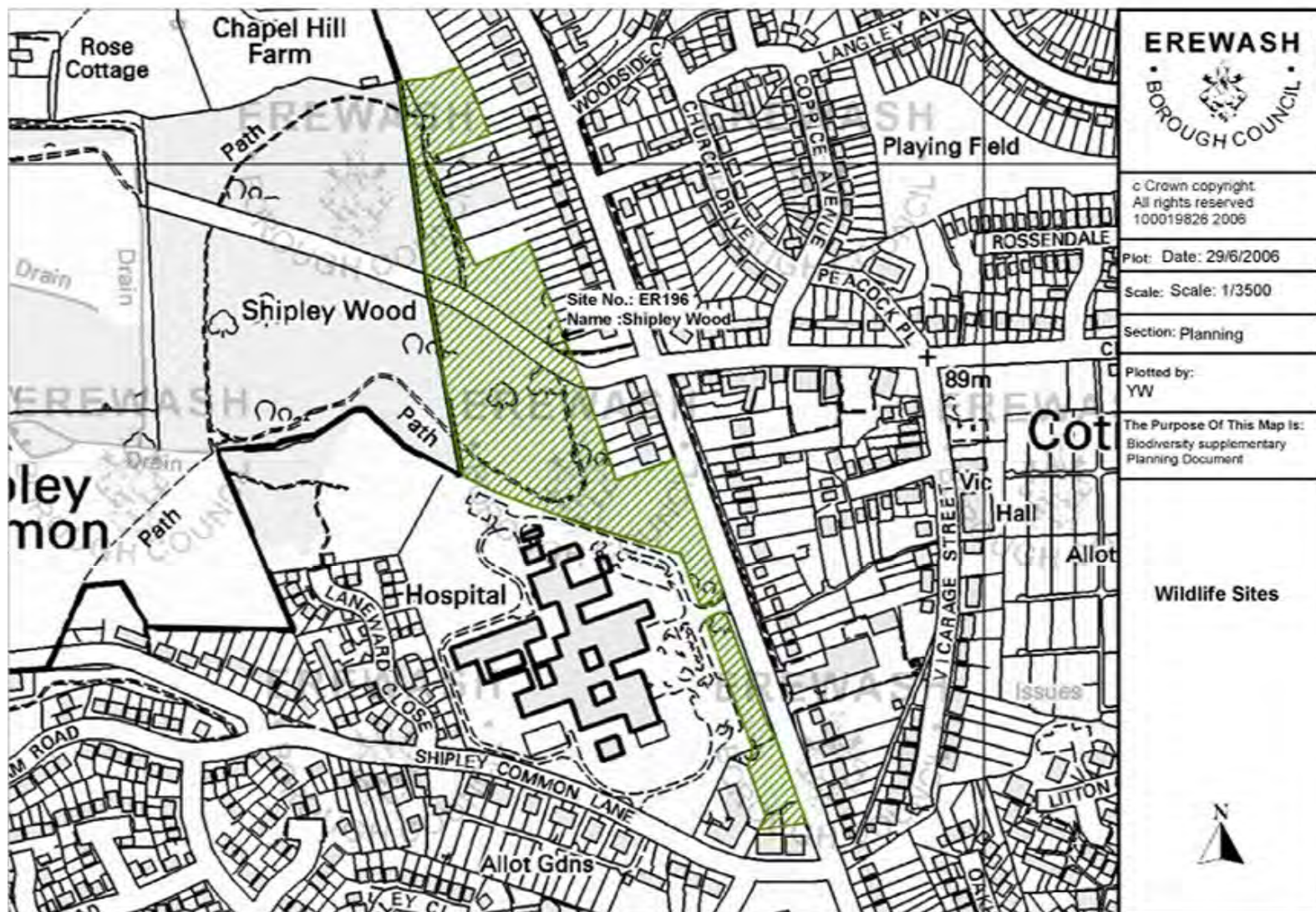
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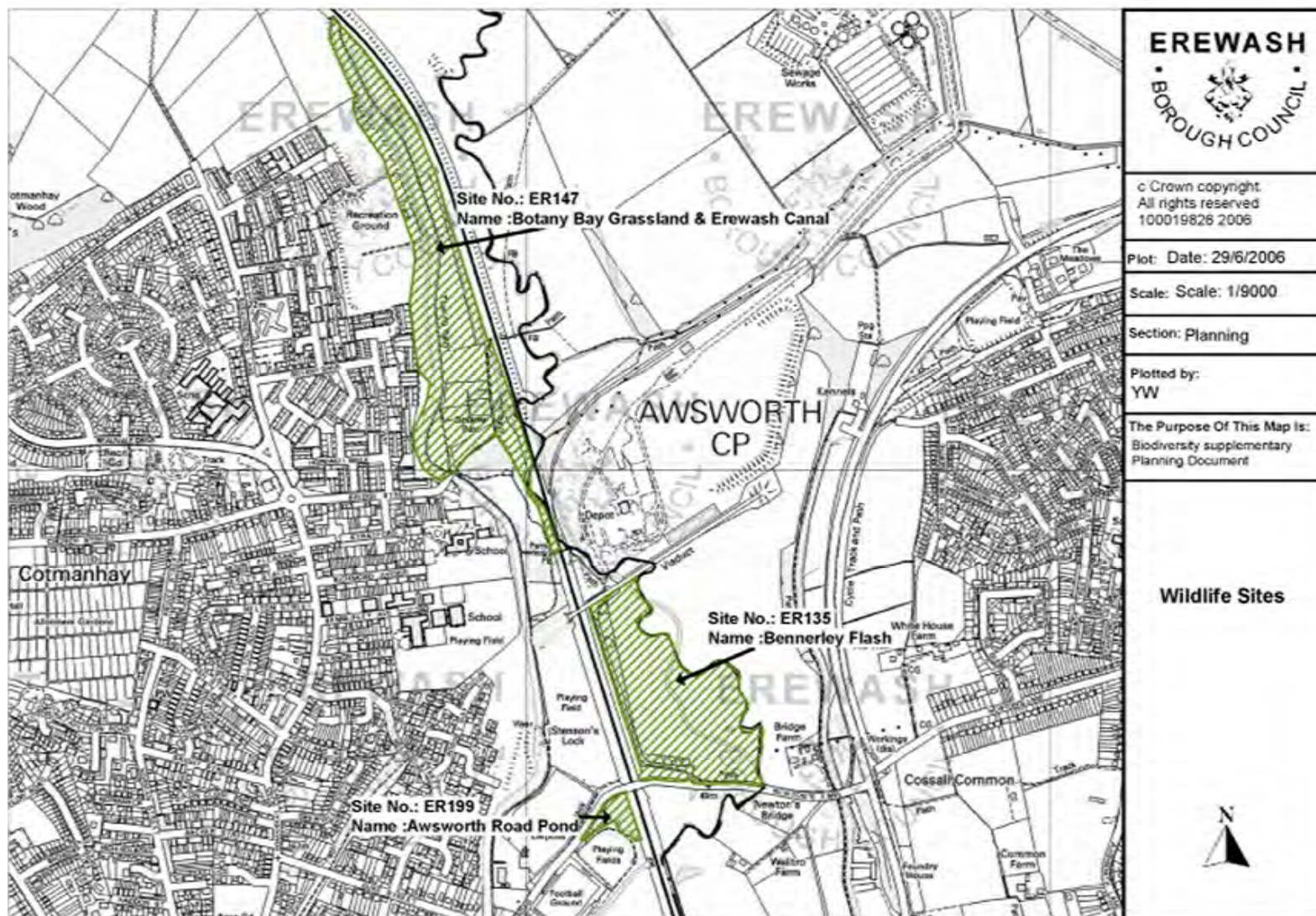
Area 1 Wildlife Sites





Area 1 Wildlife Sites





Area 1 Wildlife Sites



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100019826 2006

Plot: Date: 5/7/2006

Scale: Scale: 1/5250

Section: Planning

Plotted by:
YW

The Purpose Of This Map Is:
Biodiversity supplementary
Planning Document

Wildlife Sites

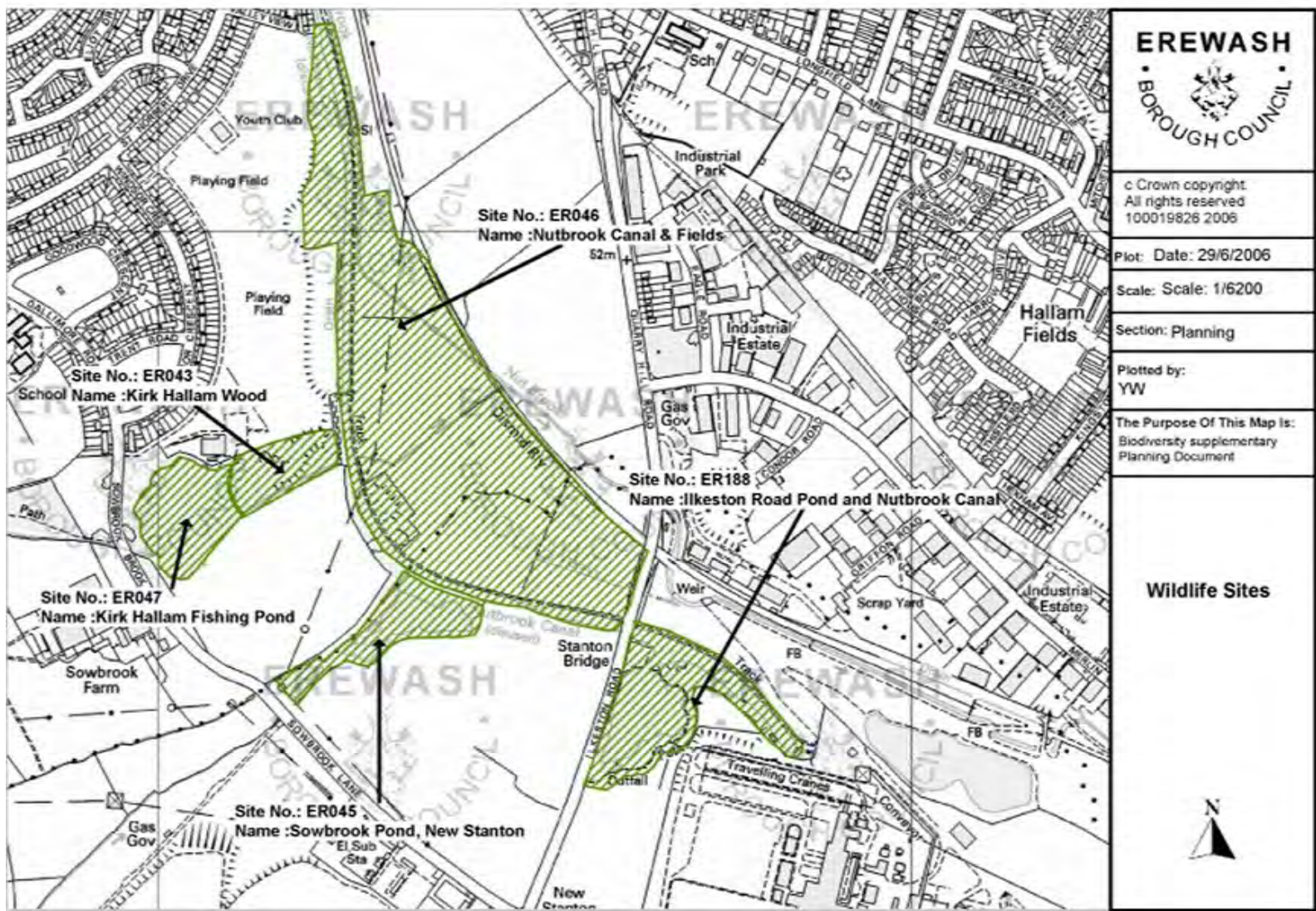


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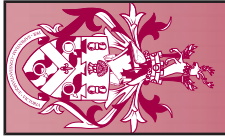


Area 1 Wildlife Sites





Area 1 Wildlife Sites







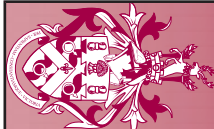
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Area 2 Wildlife Sites

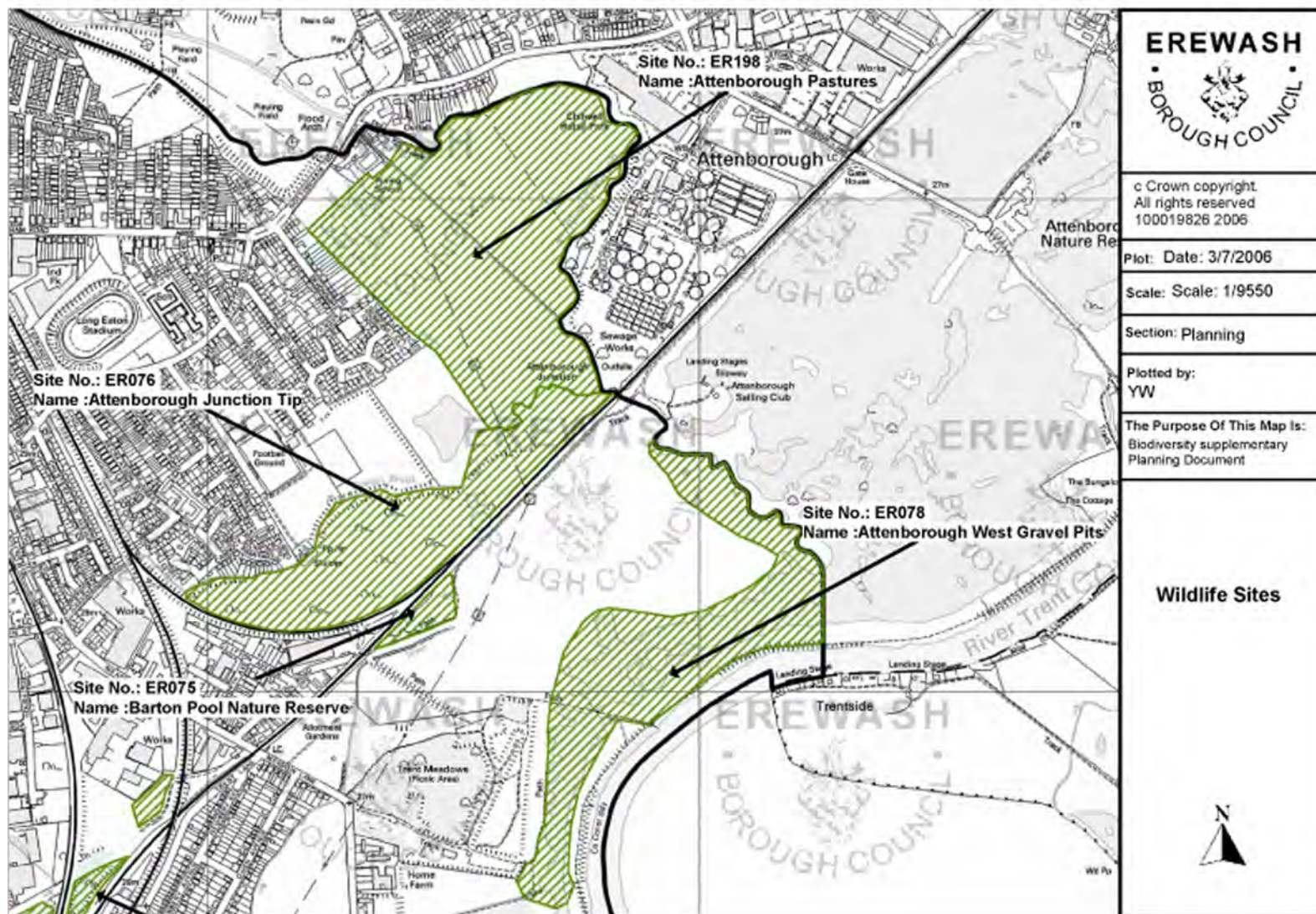


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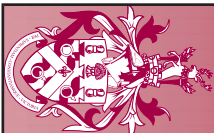




Area 2 Wildlife Sites



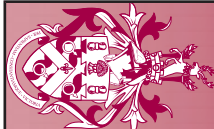
Area 2 Wildlife Sites



Area 2 Wildlife Sites



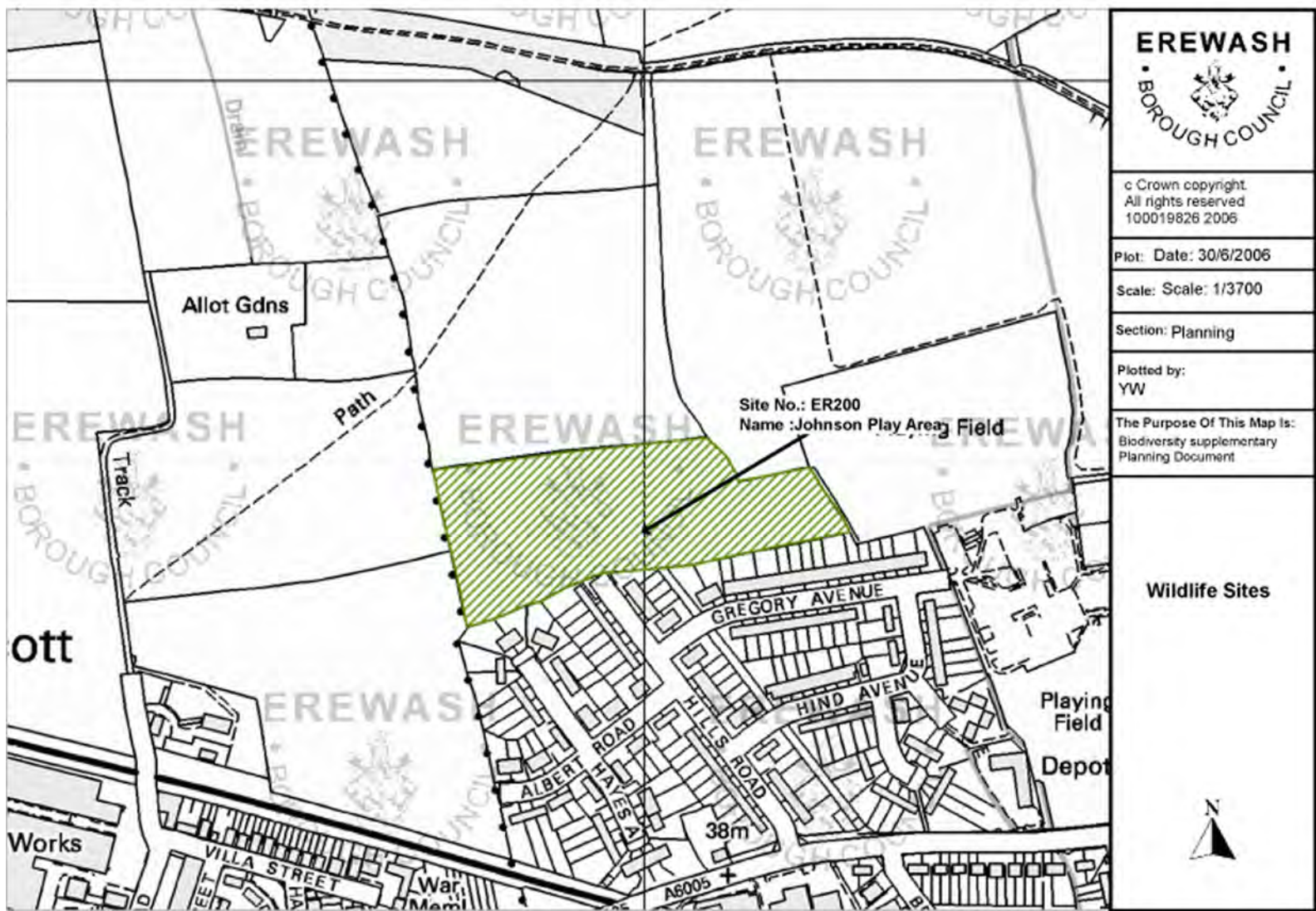
Area 2 Wildlife Sites



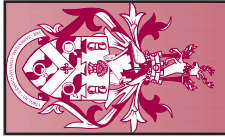
Area 3 - Risley, Draycott, Breaston and Hopwell



Area 3 Wildlife Sites



Area 3 Wildlife Sites







Area 3 Wildlife Sites



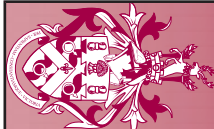


Area 3 Wildlife Sites

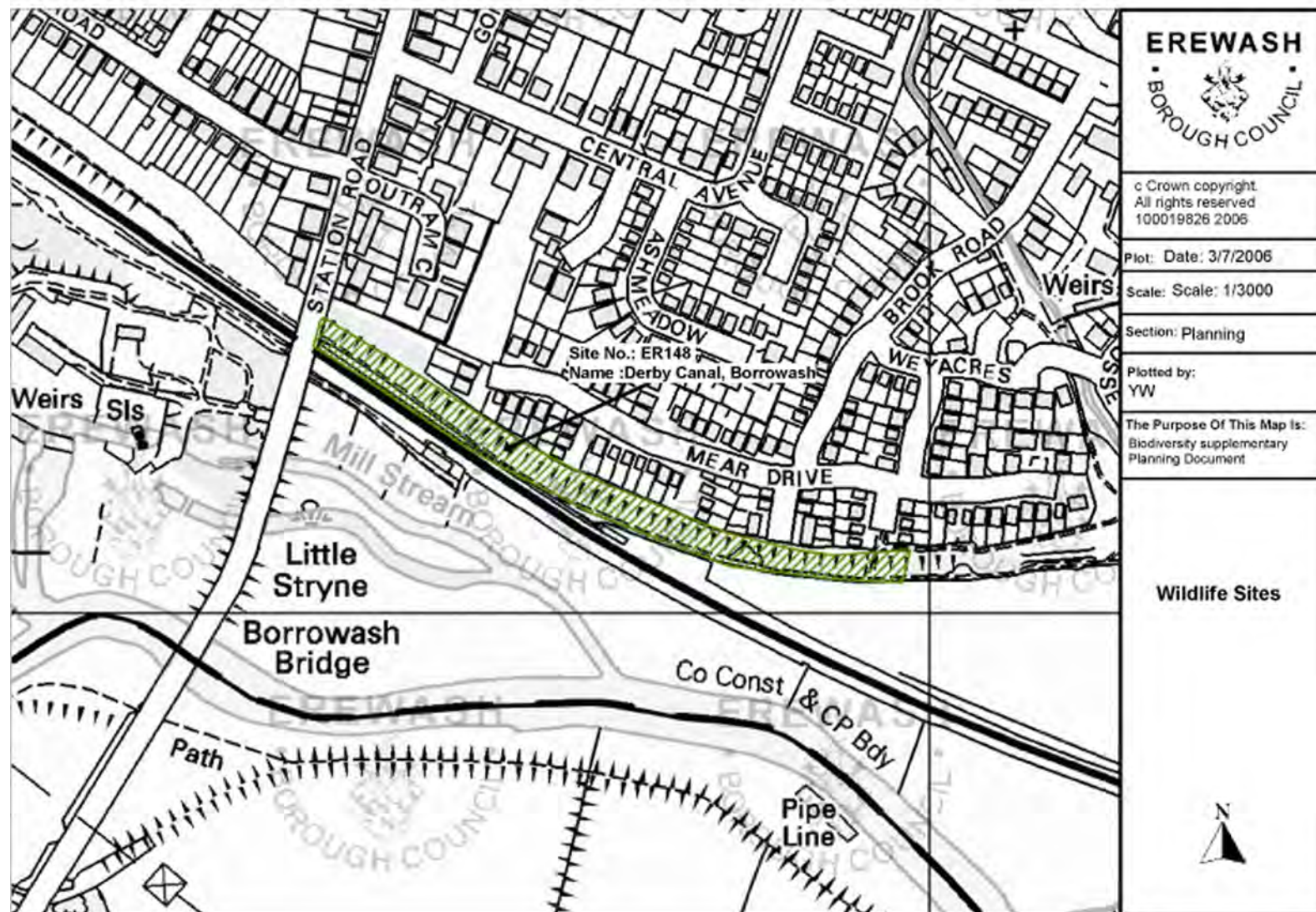




Area 3 Wildlife Sites

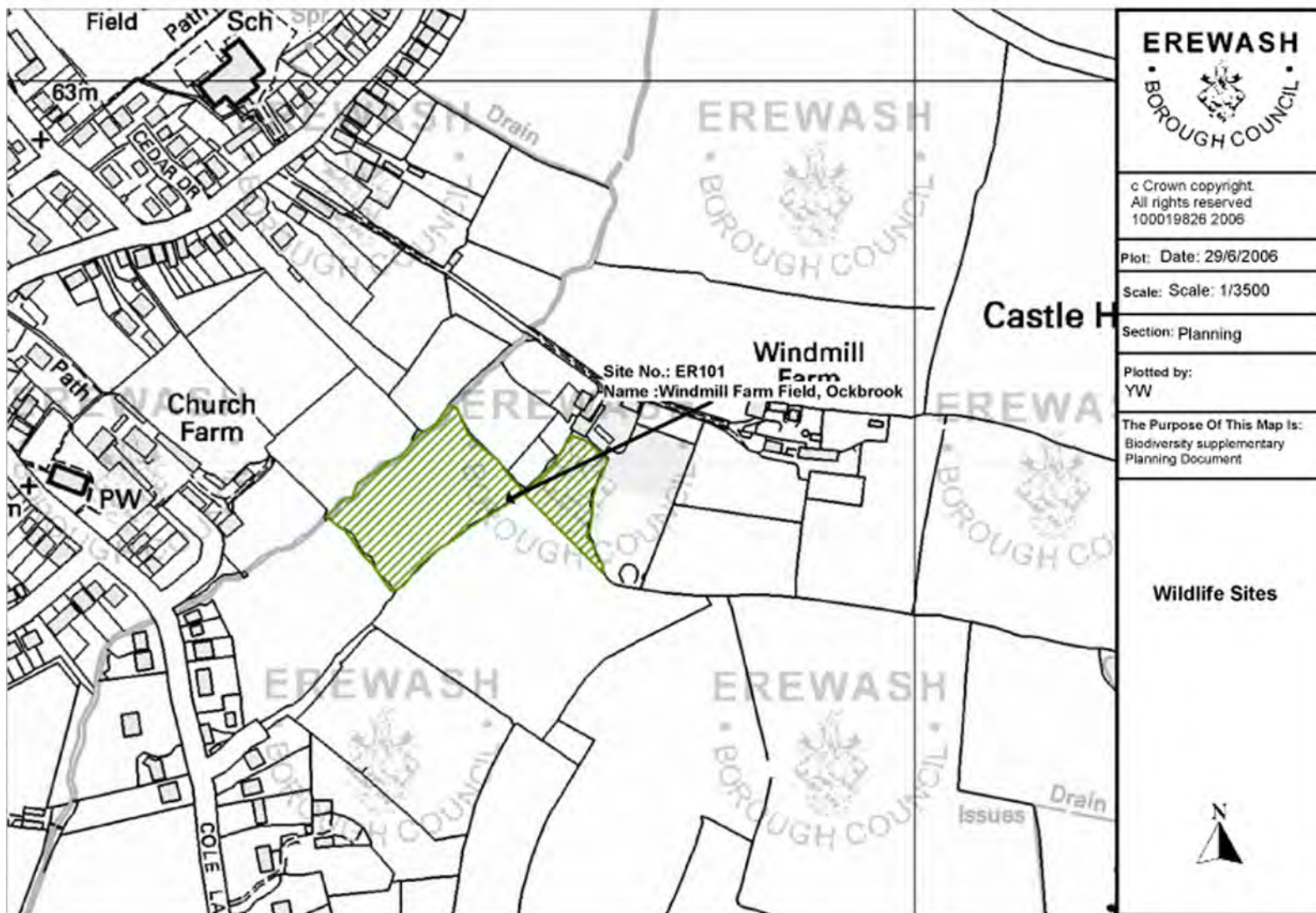


Area 4 - Borrowwash, Ockbrook, Dale Abbey and Stanton-by-Dale



Area 4 Wildlife Sites





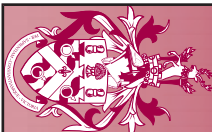
Area 4 Wildlife Sites

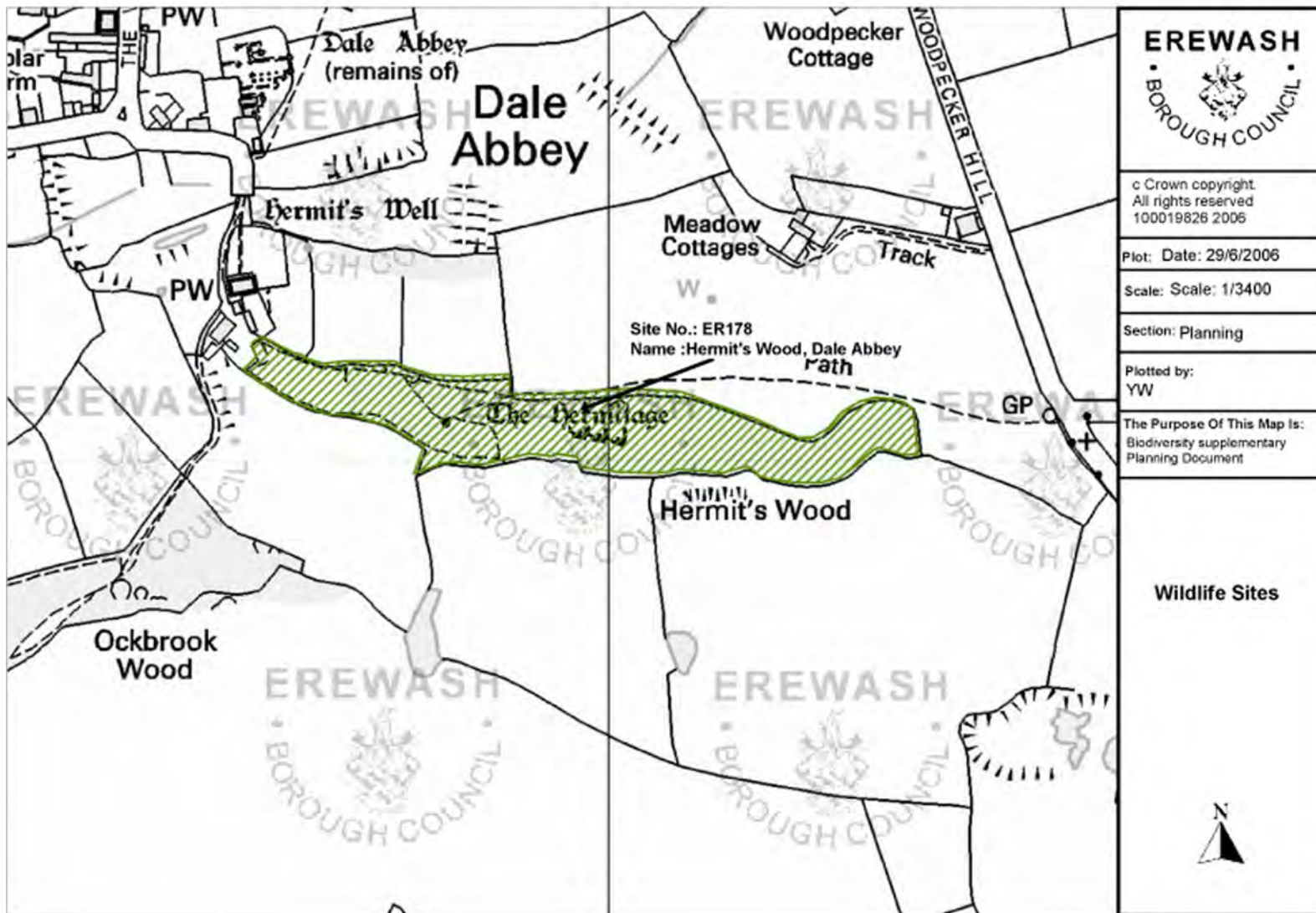


Area 4 Wildlife Sites

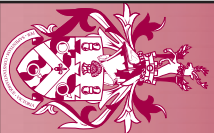


Area 4 Wildlife Sites



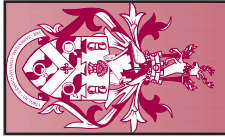


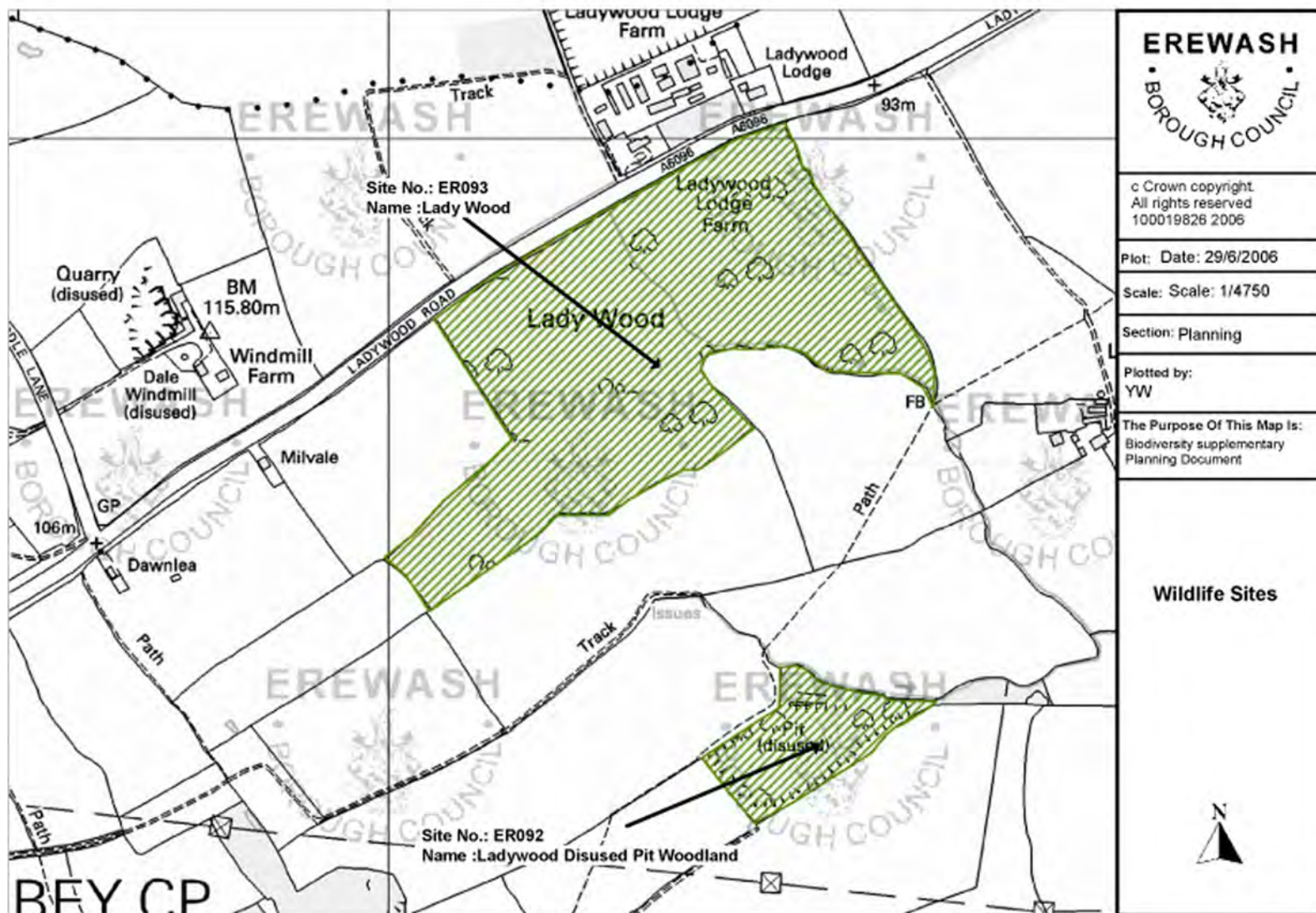
Area 4 Wildlife Sites





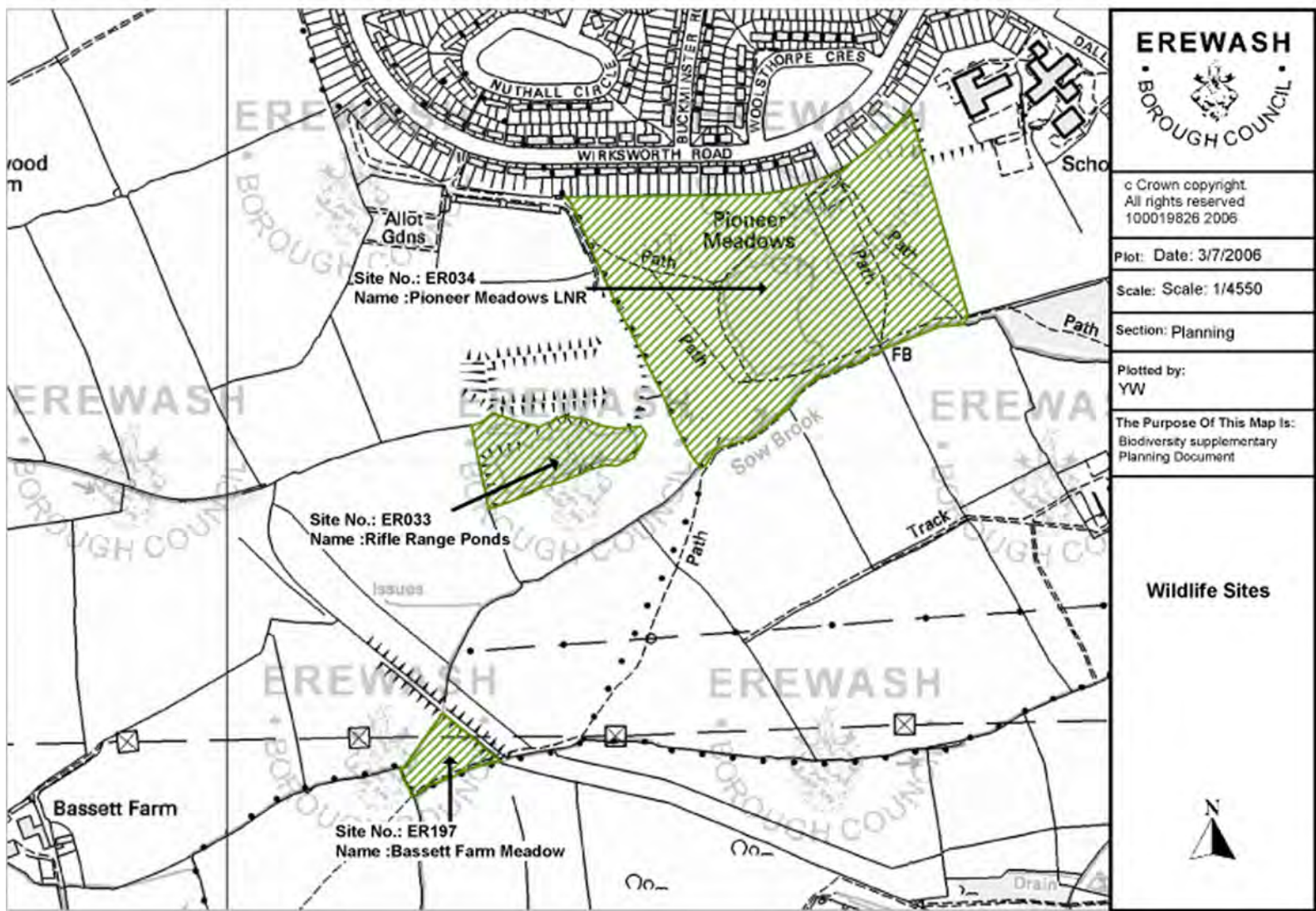
Area 4 Wildlife Sites





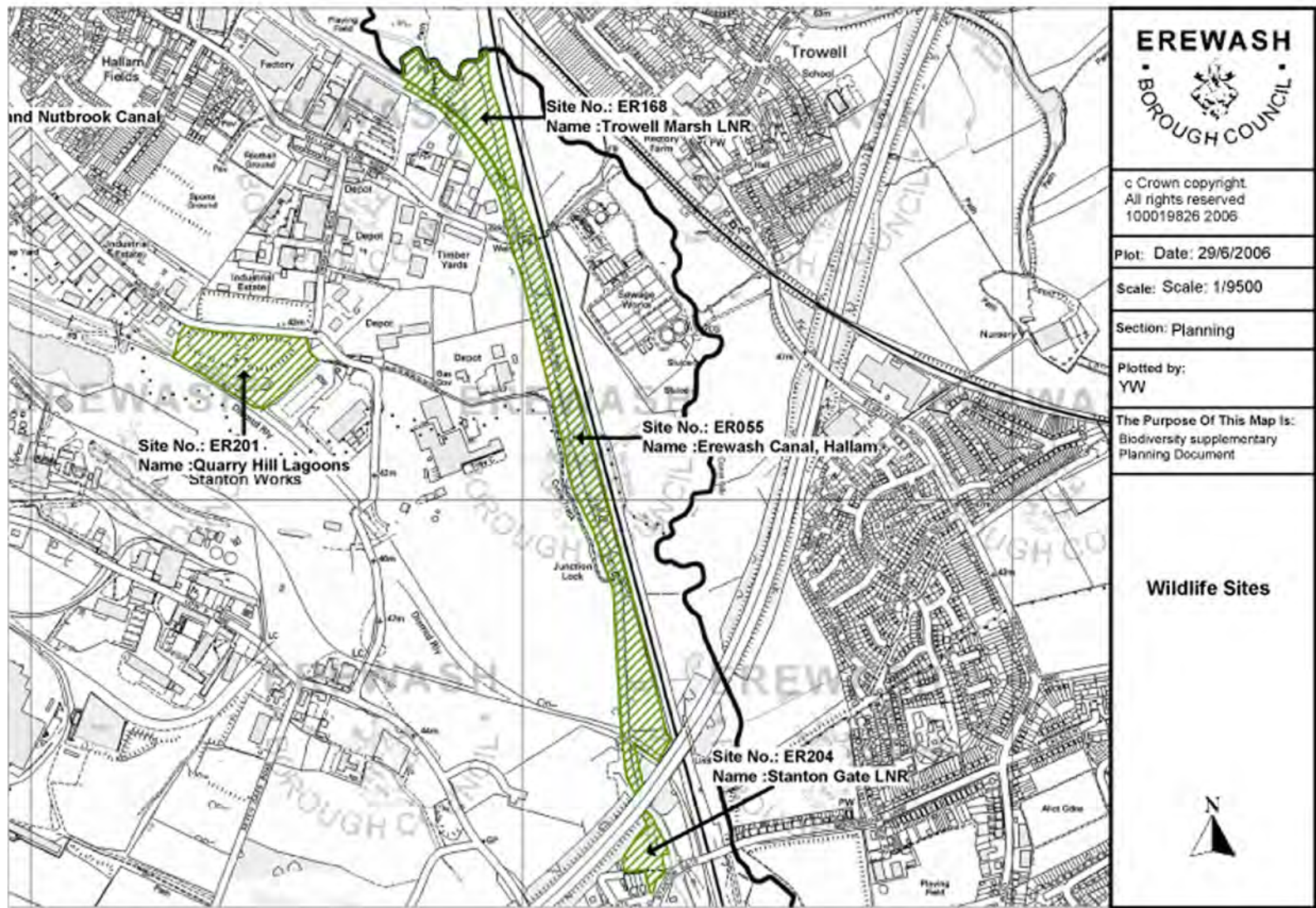
Area 4 Wildlife Sites



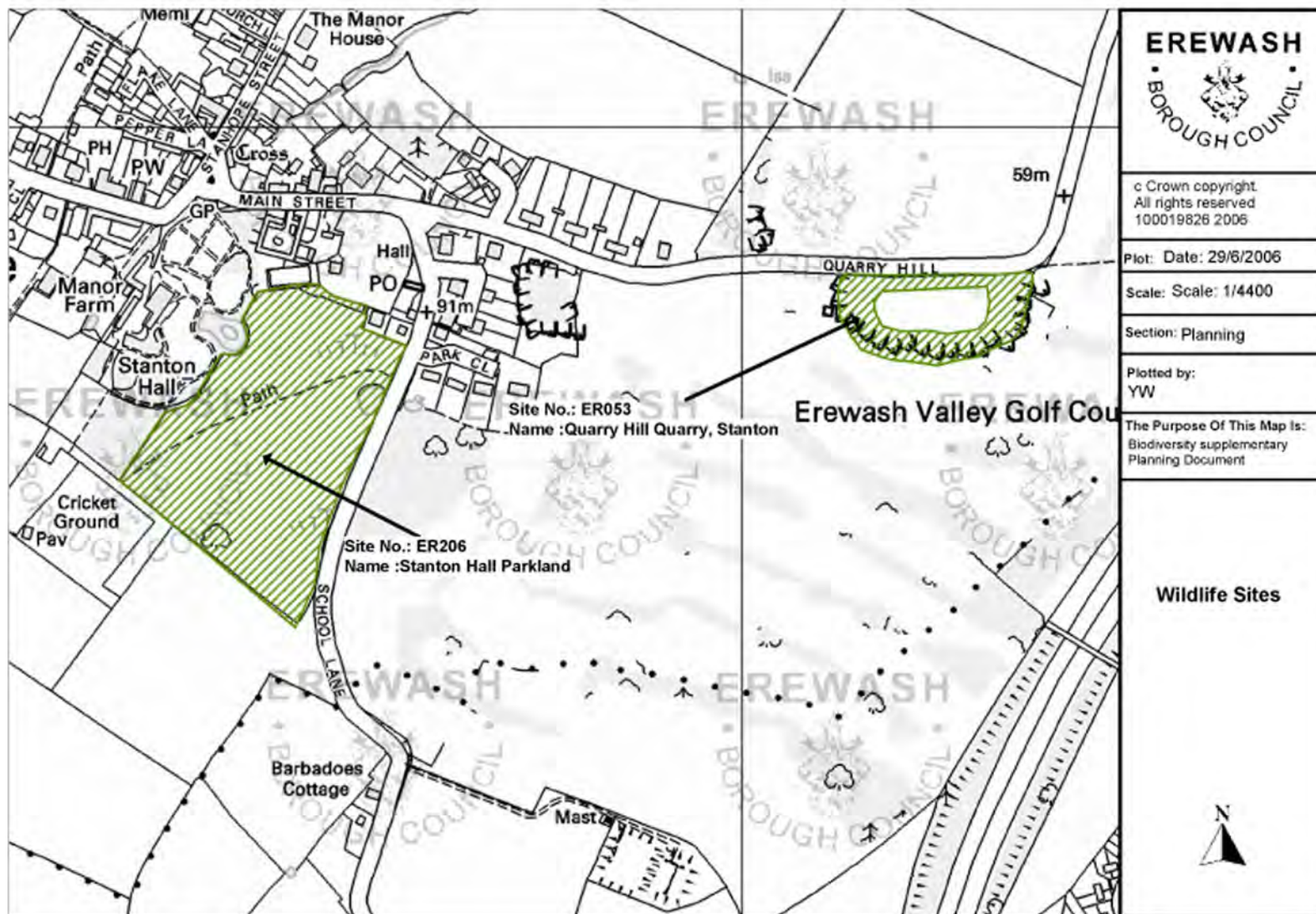


Area 4 Wildlife Sites

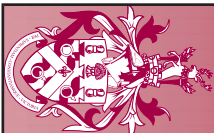




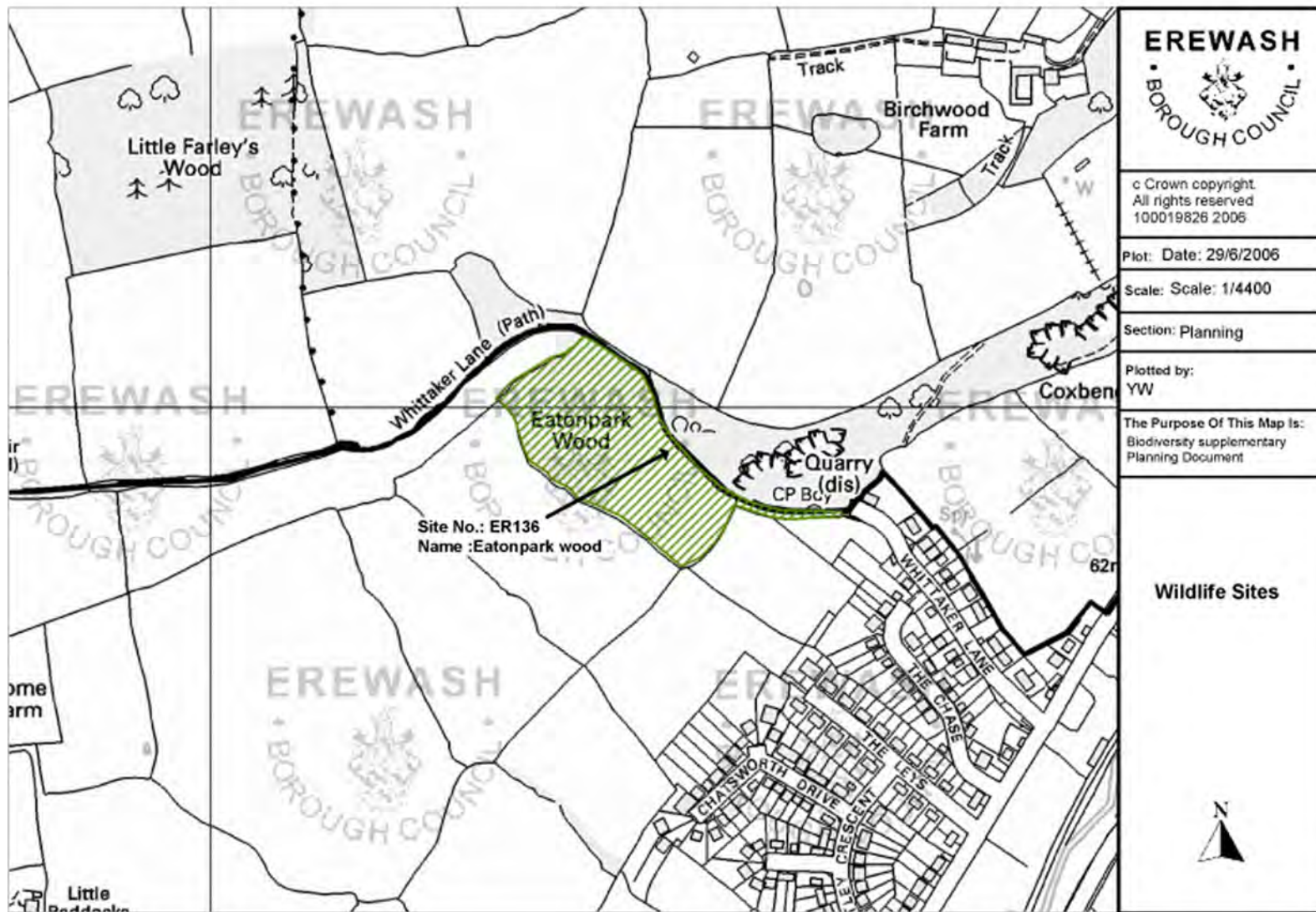
Area 4 Wildlife Sites



Area 4 Wildlife Sites



Area 5 - Little Eaton, Breadsall, Morley and Stanley

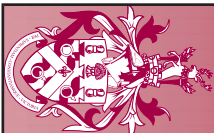


Area 5 Wildlife Sites





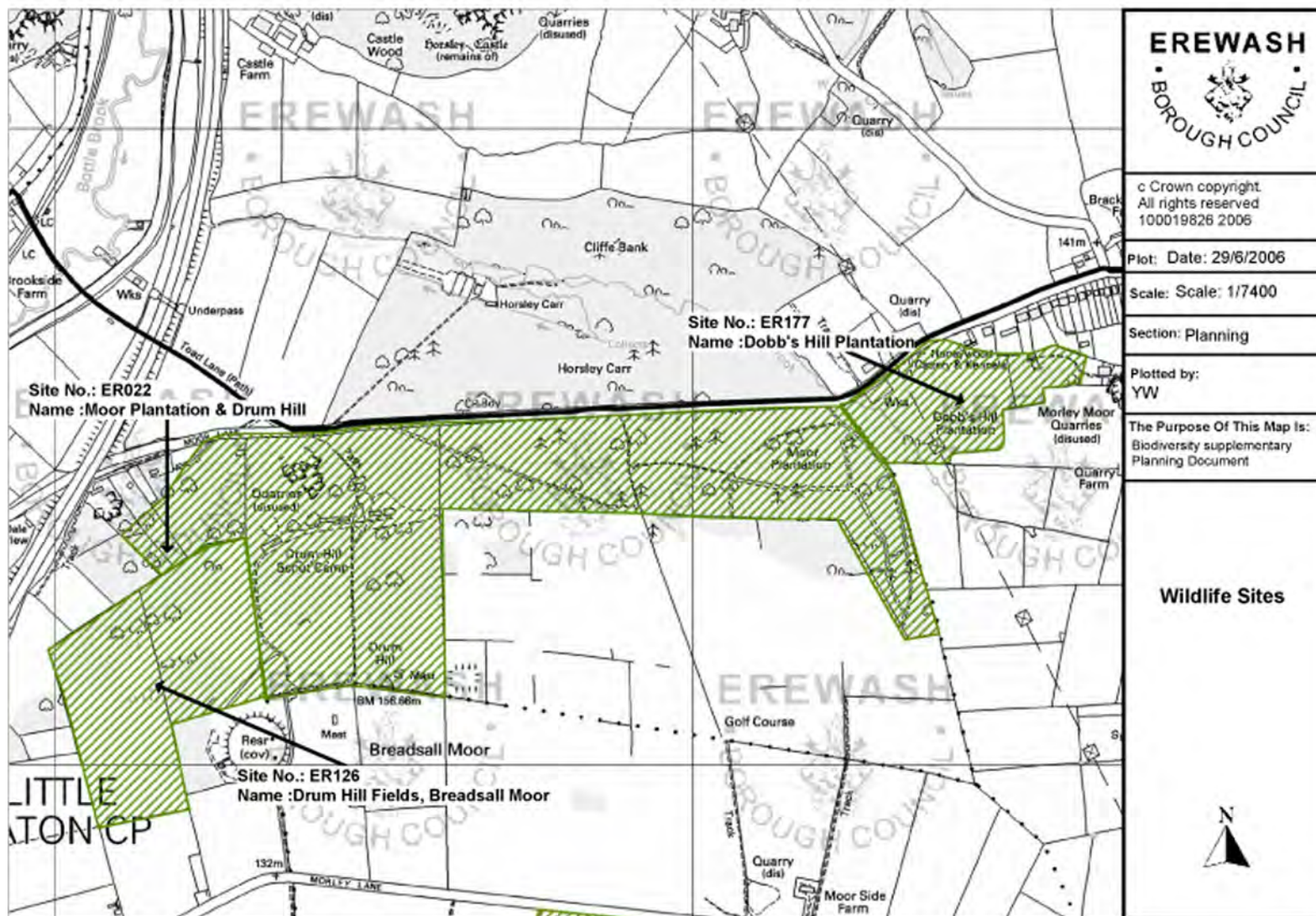
Area 5 Wildlife Sites



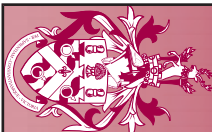


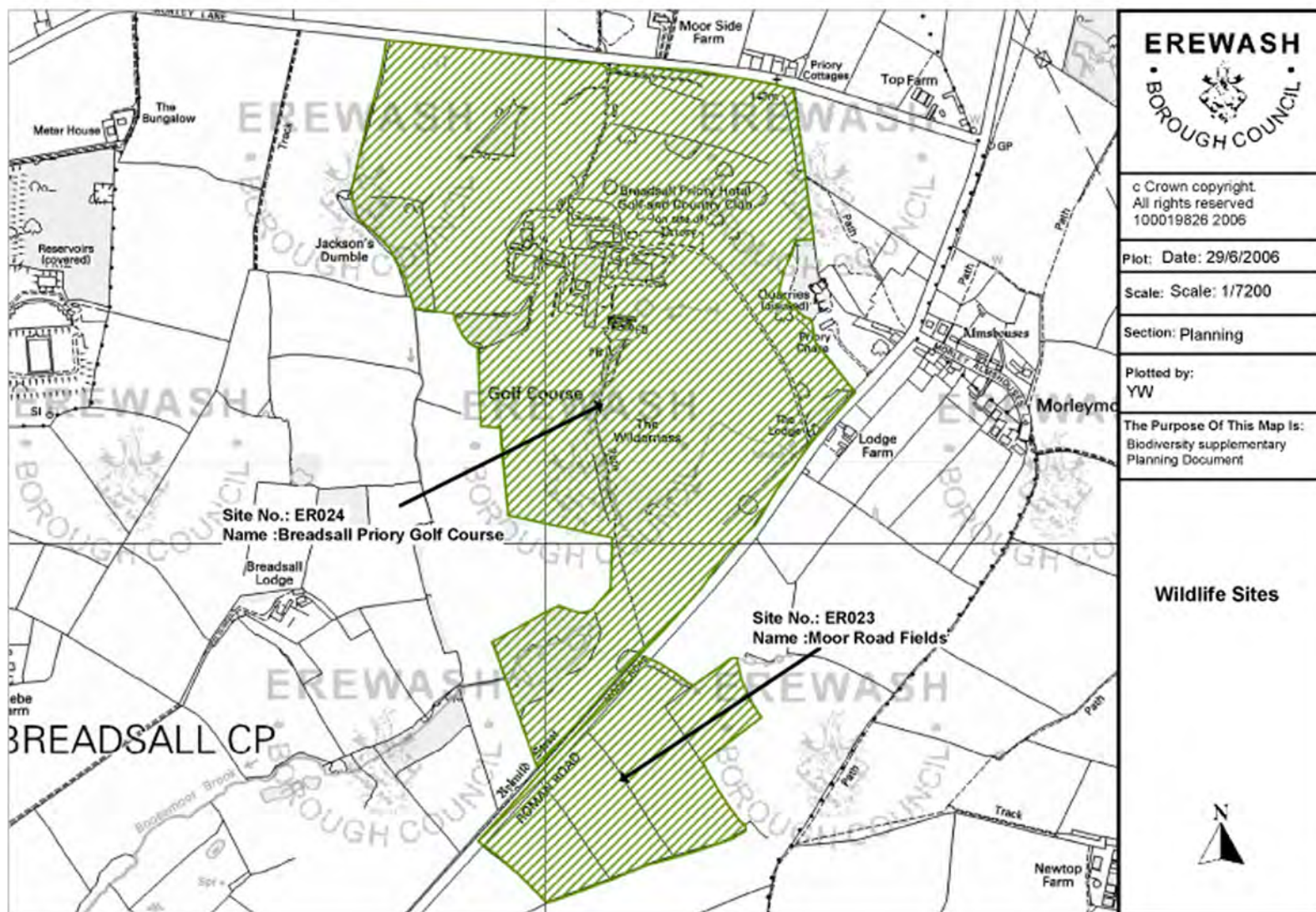
Area 5 Wildlife Sites





Area 5 Wildlife Sites





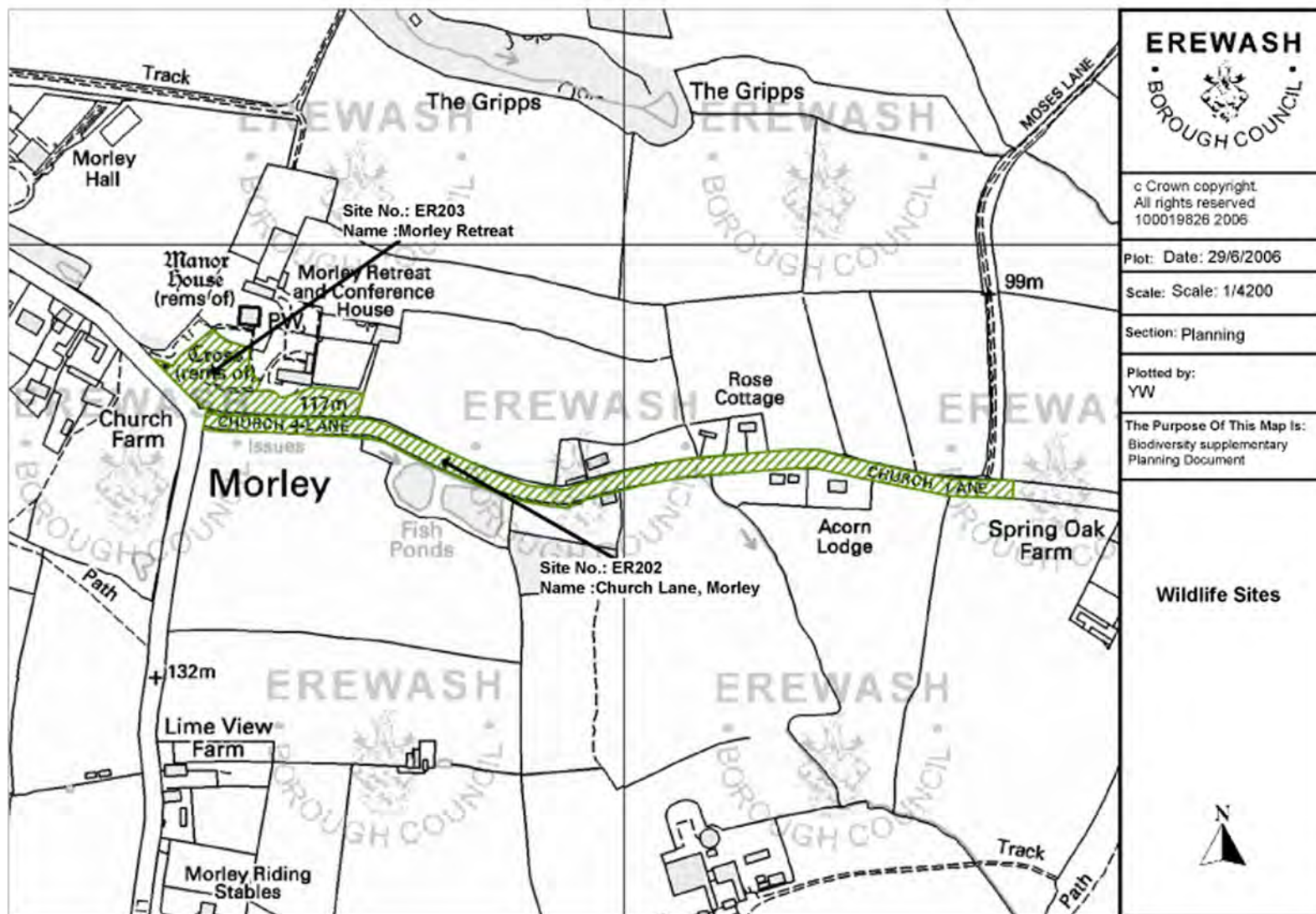
Area 5 Wildlife Sites



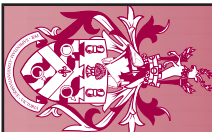


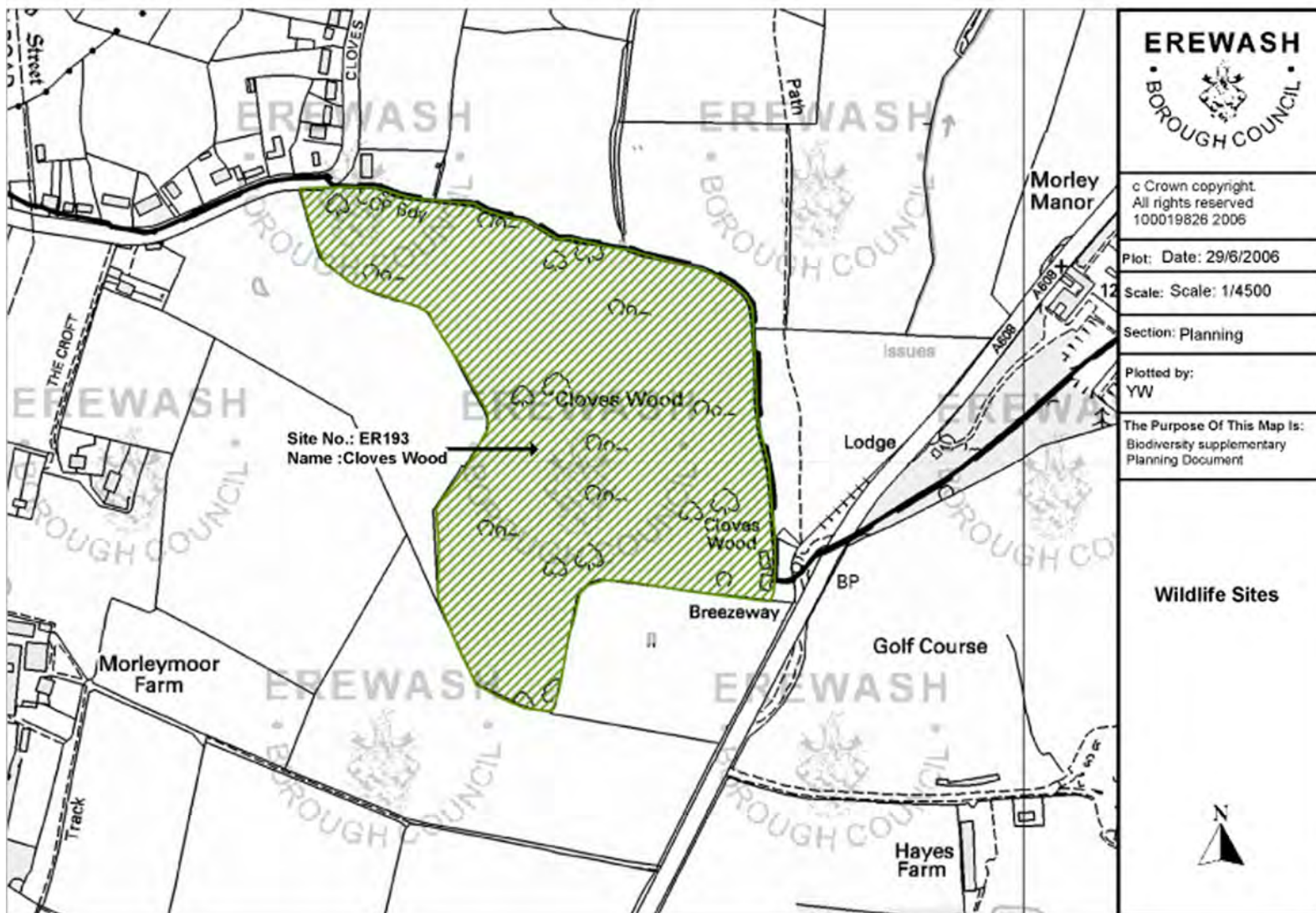
Area 5 Wildlife Sites





Area 5 Wildlife Sites

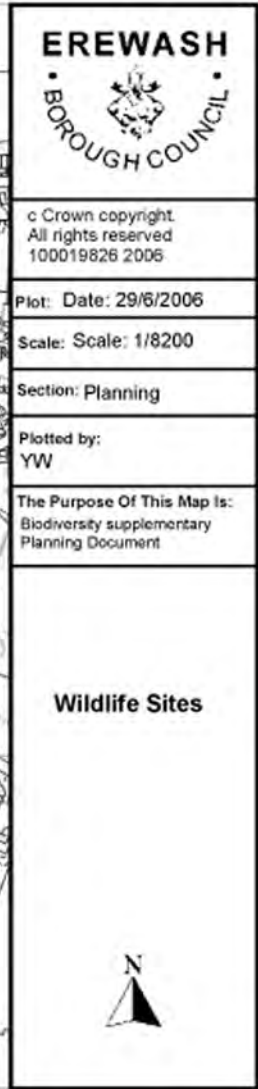




Area 5 Wildlife Sites







Area 5 Wildlife Sites

Biodiversity SPD

Biodiversity Checklist for Proposed New Development Site

| | | | |
|---|--|---------------------------------|--|
| Applicant and site details | | | |
| Applicant | | | |
| Applicant Address | | | |
| Address of development | | | |
| Description of development | | | |
| Current Land Use Designation | | | |
| Is the site or adjoining land designated as a Site of Special Scientific Interest, Local Nature Reserve or Wildlife Site? <i>(Please tick)</i> | | | |
| Yes | | If yes please state the name: | |
| No | | | |
| Is there a SSSI within 1km of the site boundary? <i>(Please tick)</i> | | | |
| Yes | | If yes please state the name: | |
| No | | | |
| Existing Habitats | | | |
| Which of the following habitat(s) exist on or adjacent to the proposed development site? <i>(Please tick all that apply)</i> If any of these habitats occur, the application should be accompanied by an ecological survey report and, where relevant, a design plan. | | | |
| Woodland | | Parkland | |
| Grassland – neutral, calcareous or acid | | Roadside verge | |
| Farmland | | Scrub | |
| Boundary feature: Hedgerow | | Tall herb and fern | |
| Boundary feature: Stone Wall | | Trees (especially mature trees) | |
| Boundary feature: Ditch | | Brownfield | |



Biodiversity SPD

| Applicant and site details | | | |
|--|--|---|--|
| River or stream | | Buildings (houses built before 1939, barns and other traditional buildings, buildings with complex roof structures of any age, listed buildings)* | |
| Lake, pond, reservoir or canal | | | |
| Reedbeds | | | |
| Swamp, fen or mire | | | |
| Cave, tunnel or mine | | *Exceptions include applications for porches or other minor structural alterations, minor changes to existing roofs, recently re-roofed buildings, active industrial premises | |
| Existing Protected Species | | | |
| Which of the protected species as set out in Appendix 3 are known to use the proposed development site? (<i>Please list</i>) If any of these protected species use the site, the application must be accompanied by an ecological survey report. | | | |
| Biodiversity Enhancements | | | |
| Are any of the following measures planned during or after the proposed development? (<i>Please tick</i>) If any of these enhancements are proposed, a design plan may be required. | | | |
| Retention of existing habitat | | | |
| Restoration or enhancement of existing habitat | | | |
| Habitat protection during construction | | | |
| Habitat creation | | | |
| Wildlife corridors | | | |
| Habitat management | | | |
| Management plan | | | |
| Monitoring of species/habitats | | | |
| Summary of biodiversity for the site | | | |
| Which of the following will apply to the site after development? (<i>Please tick one box</i>) | | | |
| Net gain of biodiversity | | | |
| Net loss of biodiversity | | | |



Biodiversity SPD

| Applicant and site details | |
|----------------------------|--|
| No change | |

Table 6.1 Detailed checklist for applicants to complete and submit with the planning application

Signature:

Date:



If you require this information in your language, please contact the Council using one of the below methods.

“જો તમારે આ માહિતીની તમારી પોતાની ભાષામાં જરૂર હોય, તો નીચેની પદ્ધતિઓમાંથી એકનો ઉપયોગ કરીને કાઉન્સિલનો સંપર્ક સાધો.”

如果您需要您自己语言的此信息，请通过以下方法之一与委员会联系。

“ਜੇ ਇਹ ਜਾਣਕਾਰੀ ਤੁਹਾਨੂੰ ਆਪਣੀ ਭਾਸ਼ਾ ਵਿਚ ਚਾਹੀਦੀ ਹੋਵੇ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਹੇਠ ਲਿਖਿਆ ਵਿੱਚੋਂ ਕਿਸੇ ਇੱਕ ਤਰੀਕੇ ਦੀ ਵਰਤੋਂ ਕਰਦੇ ਹੋਏ ਕੌਂਸਲ ਨਾਲ ਸੰਪਰਕ ਕਰੋ।”

“ اگر آپ کو یہ معلومات اپنی زبان میں درکار ہوں تو، براہ کرم درج ذیل میں سے کوئی طریقہ استعمال کرتے ہوئے کونسل سے رابطہ کریں۔ ”



0845 907 22 44



communications@erewash.gov.uk



Ilkeston Town Hall, Wharnccliffe Road, Ilkeston, Derbyshire DE7 5RP

Long Eaton Town Hall, Derby Road, Long Eaton, Derbyshire NG10 1HU