

RESIDENTIAL DEVELOPMENT OF LAND AT DINTING VALE, DINTING, GLOSSOP,
DERBYSHIRE - APPEAL AGAINST THE REFUSAL OF FULL PLANNING
PERMISSION BY HIGH PEAK BOROUGH COUNCIL

High Peak Borough Council Ref: DWTHPK679c

Applicant Ref: HPK/2022/0456

Summary Proof of Evidence of Rachel Kerr BSc (Hons) MSc CEcol CEnv
MCIEEM on Ecology Matters

For Wain Homes (Northwest Ltd)

May 2024

Prepared on Behalf of Tetra Tech Limited. Registered in England number:
01959704.

SUMMARY

- E1 The Appeal Site is assessed as presently having a complex of woodland, scrub, individual trees and grassland communities, the latter of which supports two priority habitats.
- E2 The following key matters are raised in respect of ecology:
1. Do the Appeal proposals result in overall net loss to biodiversity value in contradiction to the requirement to demonstrate no net loss and where possible a net gain (Policy EQ5).
 2. Do the Appeal proposals result in a failure of 'trading-rules' whereby grassland habitat is not adequately enhanced/created or mitigated to satisfy the loss of unit.
 3. Do the Appeal proposals result in unacceptable harm to two identified Habitats of Principal Importance without providing adequate and bespoke compensation.
- E3 Impacts to the site arising from the development will be partially mitigated on site through the adoption of a sensitive landscape design, a biodiversity net gain strategy & 30-year management plan, plus pre-construction inspections.
- E4 Off-site locations have been selected to complete the habitat mitigation package following adequate testing to provide bespoke compensation and improved net biodiversity following interventions.
- E5 The selected areas are located at Chinley High Peak and are in the ownership of the Appellant. The Chinley locations will undergo habitat interventions to form a mosaic of neutral grassland, scrub, swamp and woodland habitats. Bespoke compensation will comprise of the translocation of lowland dry acid grassland and purple moor-grass and rush pasture from the development site.
- E6 With the inclusion of offsite provisions, the collective scheme will return a net loss to biodiversity with respect to habitat units.
- E7 However, Biodiversity Net Gain (BNG) permits purchase of habitat units to address a BNG deficit. In that respect 18.94 units of Tier 1 Medium distinctiveness habitats are to be purchased to satisfy BNG Trading Rules.
- E8 Whilst this is not a scheme that is required to deliver 10% BNG under the provisions of the Environment Act (because the application which is now the subject of the appeal was submitted before 10% BNG became mandatory in England), having satisfied the BNG Trading Rules with the purchase of 18.94 Tier A1 habitat units, the actual outcome is that this scheme would deliver circa 11% increase in BNG.
- E9 Moreover it is noted that the BNG calculations do not account for the replacement trees being planted by the Council via the off-site contribution of £72,400 for planting and £19,840 for maintenance which once completed will have biodiversity benefits for the local area.
- E10 The evidence that I have prepared and provide for this planning inquiry in this proof of evidence is true. I confirm that the opinions expressed are my true and professional opinions, irrespective of by whom I am instructed.