**From:** Johnston, Christopher
**Sent:** 17 October 2017 10:07
**To:** Planning Comments (SMDC)
**Subject:** FW: SMD/2017/0579

**Categories:** Blue Category

**From:** Preece, Mark
**Sent:** 16 October 2017 16:43
**To:** Johnston, Christopher
**Subject:** SMD/2017/0579

Chris ,

Please find comments in rerlation to :

**Application: SMD/2017/0579 Garden Centre And Nursery, Gravel Bank Farm, Caverswall Common Lane, Caverswall, Staffordshire, ST11 9EU Redevelopment of commercial nursery/garden centre involving demolition and removal of all buildings on site and erection of dwellings.**

A preliminary ecological appraisal revealed the prence of a badger sett and bluebells present on site. The majority of the site consists of improved grassland with some trees and scrub.
There may be the potential to create habitats that will benefit biodiversity via appropriate landscaping and the creation of artifical nest sites for breeding birds and bat roost within new buildings.

I would not object to the application subject to the following conditions:

*Badgers*
Development shall not commence until the Local Planning Authority(LPA) has received either:

a) A licence issued by Natural England permitting the works to commence under appropriate legislation or
b) A statement in writing form Natural England indicating no licence is required
c) In the case of (b) above - a method statement indicating avoidance and mitigation measures regarding badgers miust be provided. This should include development exclusion zones, maintenace of badger access to foraaging areas and the exclusion of badgers from gardens.

*Badgers and Hedgehogs*

a) Vegetation clearance avoids the hibernation period for Hedgehogs (November-March) unless check for the presence of hedgehogs has been carried out to confirm that none are present.
b) Creation of sloping escape ramps for badgers/ hedgehogs by edge profiling excavations or placing planks into them at the end of each working day
c) Open pipework greater than 150mm being planked off at the end of each working day

*Birds*
The applicant is reminded that under the wildlife and Countryside Act 1981 as amended it is an offence to damage, remove or destroy the nest of any wild bird while that nest is in use of being built. Planning consent for a development is not a defence against prosecution under this Act.
In order that there is no disturbance to nesting birds no ground clearance should be carried out between 1st March and the end of 31st August in any year, unless a survey for nesting birds has been undertaken and it can be clearly shown that birds are not nesting in areas scheduled for vegetation clearance. If birds are nesting work cannot proceed until the young have fledged.

*Ecological enhancements – Landscape management plan*

A landscaping scheme to benefit invertebrate pollinators, bats and breeding birds should be provided including the retention and protection of the area of the site containing bluebells. On-site provision of bird and nesting sites and bat roosting sites within buildings should be specified. Nectar and berry rich native shrubs providing a variety of habitats for invertebrates should be selected that will benefit foraging birds and bats. Species should be selected that provide structural diversity for wildlife. This may include appropriate climbing species such as cotoneaster, ivy, climbing roses and honeysuckles to create green walls that will further enhance the site and gardens for wildlife. Species selected must be appropriate to the shade or moisture conditions on site. Details should be provided to the LPA for approval.

Policy justification:

The main legislation protecting badgers in England and Wales is the Protection of Badgers Act 1992
National Planning Policy framework (NPPF) 2012 - stipulates no net biodiversity loss, and biodiversity gain resulting from development
Policy NE1 of the adopted Local Development Framework for the Staffordshire Moorlands advocates the protection and enhancement of biodiversity appropriate to the size and scale of the development

Mark Preece
**Client Officer** (Country Parks/ Ecology Advice)
**Operational Services**

**Staffordshire Moorlands District Council**
**Stockwell Street**
**Leek**
**Staffordshire**
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