

Land on NE Side of Rivendell Lane SWT Comments

Date: 9th May 2025

Application Reference: SMD/2025/0093

Location: Land On NE Side of, Rivendell Lane, Leek, Staffordshire, ST13 5DH

Proposed Development: Erection of detached garage

Staffordshire Wildlife Trust has been asked to review the above application as part of a service level agreement with Staffordshire Moorlands District Council to provide ecology advice regarding planning and development management functions.

Documents Viewed:

- Application form, Birchendel Holdings Ltd, 17/02/2025
- Location plan, 13/03/2025
- Superseded plans and elevations – 1797-07, MAC Architectural Design Ltd
- Superseded revised drawing - plans and elevations – reduced garage, MAC Architectural Design Ltd, 08/04/2025
- Further revised dwg 01 rev B, MAC Architectural Design Ltd, 08 & 14/04/2025

Summary: We recommend a **holding objection** until the following information is supplied and our comments are resolved:

- Confirm that the total area of the garage and access is below 25 square metres (e.g. 5m x 5m). If this does apply, then the development is exempt from the net gain condition, if not, it will be subject to the net gain condition.
- If the development work has already begun, due to the approval of the current development SMD/2023/0085, then retrospective planning permission could be sought and the net gain condition would not apply, however we would require a biodiversity gain on site through a condition. If retrospective planning permission is not sought, then the net gain condition applies (if the development including access, measures above 25 square metres).
- The Staffordshire Moorlands Local Plan – Adopted, Policy NE1 and the NPPF (National Planning Policy Framework) paragraphs 187 and 193 state that there should be a net gain in biodiversity even if this is not subject to the biodiversity gain condition. The applicant needs to show they are complying with this guidance, and we have suggested a condition to enable the applicant to do this.
- The NPPF and BS42020:2013 state that the mitigation hierarchy needs to be followed, however currently there is no evidence that this has been done, therefore no net loss is required.

Conditions

- A net gain in biodiversity needs to be secured through a condition on site. SWT can provide suggestions although a discussion with the applicant is also feasible. The condition could suggest an appropriate ecological planting scheme using native pollinator-friendly plants/seeds, installing bird and bat boxes on site (three of each are recommended) and hedgehog highways all to be sited in appropriate locations.
- A condition should be included on reasonable avoidance measures, please see below for more information.

Reasonable Avoidance Measures

Reasonable avoidance measures for terrestrial mammals, reptiles and amphibians should be detailed in the CEMP and LEMP and a sign off system should be in place to ensure all personnel working on the site have read and will abide by these.

The following RAMs should be implemented prior to, and during the construction period to minimise impact on reptiles and common amphibians;

Reasonable Avoidance Measures for herptiles

- Onsite grassland should be maintained to a short sward (less than 100mm) prior to the commencement of works. This is to discourage reptiles and amphibians from using the site.
- Before any works commence, all site contractors/stakeholders will be briefed on the Reasonable Avoidance Measures during a 'Tool-box' talk of the potential for protected species to occur on site, what to look out for and what to do in the event that animals are found.
- Vegetation removal should take place in the active season (March-October) when temperatures are above 11°C. A pre-commencement check, prior to the removal of the hedgerow, will be carried out. This will involve a fingertip search of any areas of concern. Only once the site has been confirmed to be free from reptiles and amphibians, can vegetation clearance commence.
- During construction works, materials that require piling will be stored within areas of bare ground above ground level, using pallets to prevent reptiles or amphibians from seeking shelter below.
- Excavations/trenches should not be left open overnight to prevent reptiles and amphibians falling into them and becoming trapped. If trenches cannot be filled in after the working day for whatever reason, an escape mechanism such as wooden planks of 50mm wide as a minimum should be placed in them at a 45-degree diagonal angle.
- Open excavations should be checked in the morning on a daily basis for the presence of any animals that may have fallen in during the night.
- If a reptile or amphibian is found work must stop immediately, and contact should be made with a suitably experienced ecologist. At no point should any person handle a

herptile without express consent from the ecologist. Any reptiles found should be left to leave the site of their own accord. Where this is not possible, they should be placed into a ventilated box using gloved hands and released into suitable nearby vegetation, away from the working area.

- If a suspected great crested newt is found at any point during construction, works must stop immediately and a suitably qualified ecologist should be contacted.

As a number of terrestrial mammal species, including badger and hedgehog, may pass through the site, it is recommended that the following RAMS are implemented during vegetation clearance and construction:

Reasonable Avoidance Measures for Mammals:

- During construction, it is recommended that deep, steep sided excavations are not left overnight without an escape route, either a ramp or sloping bank. Similarly, it is advised that any pipes stored on site are capped.
- Open excavations should be checked in the morning on a daily basis for the presence of any animals that may have fallen in during the night.
- If a hedgehog is found onsite, it should be picked up with gloved hands, placed in a ventilated box and released into suitable nearby vegetation that will be unaffected by the proposed works.