



<b>Lead Ecologists Consultation Response 2</b>	
<b>Date:</b>	Friday, 07 March 2025
<b>Planning Ref:</b>	24/00384/FUL
<b>Description:</b>	Installation and Operation of a Solar Farm and Battery Energy Storage System (Output upto 40 MW), With Associated Works, Equipment, Infrastructure and Landscaping

### **On-site Habitats**

No issues.

### **Protected Species**

No issues.

### **Protected Sites**

Due to the proximity of protected sites and potential for ground nesting birds, brown hare etc. on site, a condition suggestion for a Construction Environmental Management Plan will be made.

### **Biodiversity Net Gain**

The application will be subject to the general Biodiversity Gain Condition (as set out in Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended))<sup>1</sup> if granted.

The BNG proposals are mostly\* satisfactory and will result in:

- a net increase of 333.48 habitat units and 3.13 hedgerow units. (169.89% & 247.99% respectively).
- Significant Onsite Gain. The creation and maintenance of the post-intervention habitats on site will need to be secured for 30 years with a condition for a Habitat Management and Monitoring Plan. Due to the scale of the proposals, BDC will also require regular monitoring and reporting for the site and will levy a fee for the monitoring of this, to be secured with a s106 agreement.

\*We consider the target condition of 'moderate' for the Other lowland acid grassland too optimistic due to the presence of solar panels and would accept 'poor' condition. This change would still deliver 176.51 (89.92%) gain in habitat units. Providing a revised metric is submitted prior to determination with the more modest outcome, there are no further objections relating to ecology.

### **Suggested Conditions**

#### **1. Construction Environment Management Plan**

No development shall take place (including demolition and ground works) until a Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following:

- a) summary of potentially damaging activities including those with potential to impact protected sites;

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<sup>1</sup>Legislation.Gov.uk (2024) *Town and Country Planning Act 1990*. Available at: [Town and Country Planning Act 1990 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1990/24) (Accessed 16 April 2024).



- b) identification of "biodiversity protection zones";
- c) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction including preventing the spread of Non-Native Invasive Species, disturbance to nesting birds etc.;
- d) the location and timing of sensitive works to avoid harm to biodiversity features including protected sites;
- e) the role and responsibilities on site of an Ecological Clerk of Works (ECOW) and, times during construction when the ECOW will need to be present on site to oversee works;
- f) responsible persons and lines of communication or similarly competent person;
- g) use of protective fences, exclusion barriers and warning signs;

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of a satisfactory development and in the interest of biodiversity in accordance with Policies ST38 and ST39 of the Bassetlaw Local Plan (May 2024).

## 2. Habitat Management and Monitoring Plan

The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

- a) a non-technical summary;
- b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority.

## 3. Implementation of the Habitat Monitoring and Management Plan

No development shall not be brought into use until:

- a) the habitat creation and enhancement works set out in the approved HMMP have been completed; and
- b) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.
- c) The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.



#### 4. Enhancements for priority or threatened species

The development shall not commence until a plan has been submitted to and agreed with the LPA that:

- a) Sets out the type, number and location of features that will be installed as part of the development (e.g. bat boxes, bird boxes, refugia, compost heap for arisings etc.);
- b) Sets out at timeline for the installation of these features that will be adhered to.

Reason: In the interests of biodiversity in accordance with Policy ST38 of the Bassetlaw Local Plan (May 2024) and para 187(d) of the National Planning Policy Framework.

#### **Informative(s)**

##### Nesting Birds

All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). Section 1 of the act makes it an offence to intentionally or recklessly: kill, injure or take a wild bird; take, damage, destroy or interfere with the nest of any wild bird whilst it is in use or being built; take or destroy an egg of any wild bird; disturb any wild bird listed on Schedule 1 of the act whilst it is building a nest or is in, on, or near a nest containing eggs or young, or disturb the dependent young of any wild bird listed on Schedule 1.