
2025_07_03 - 143085/FO/2025

From [REDACTED]
Date Wed 9.7.25 11:26 AM
To Sue Wills [REDACTED]
Cc [REDACTED]

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For the attention of Sue Wills

Application: 143085/FO/2025

Dear Sue,

Sorry for the slow response to this application, I have been getting some clarification about peat.

Peat

The site is on the old Natural England Peat Pilot alert layer and would have been passed to them for comment. It is not on the new layer though and so ordinarily NE would not have been consulted. At this point, I would point out that the new peat layer is indicative and is not a substitute for ground investigations.

The Phase II Geoenvironmental Site Assessment (Reference: 17-994-R1-1 Date: January 25 e3p) states *"Peat deposits were encountered in 23 locations (of 37 total), encountered site wide. Peat deposits are generally encountered from 0.10 - 1.00, with deeper areas of peat encountered within WS106 (1.50 m bgl), CP102 (2.60 m bgl) and CP103 (2.70 m bgl). Peat was encountered as soft very low to low strength dark blackish brown silty PEAT."*

Given these findings, I would recommend that Natural England are consulted on this application before determination. If the site is considered to be restorable, it is likely that parts of the site will be considered irreplaceable habitats and will require bespoke compensation, if the application is approved.

Biodiversity Gain Hierarchy and Mitigation Hierarchy

While the design of the gardens incorporate hedgerows and individual trees, which is over and above what is required for the BNG "Residential Garden" category, the landscaping plan currently shows no green infrastructure outside of residential curtilage. There are no street trees, no rain gardens, no SuDS, no grass verges etc. I would suggest that the application doesn't currently follow the biodiversity gain hierarchy or the mitigation hierarchy for biodiversity net gain and more soft landscaping could have been incorporated into the design. It also seems that a smaller development with less houses could have further reduced the offsite BNG requirements, but retaining and enhancing some of the sites habitats.

DEFRA state;

"The Biodiversity Gain Hierarchy and its effect for the purpose of the statutory framework for biodiversity net gain is set out in Articles 37A and 37D of the Town and Country Planning (Development Management Procedure) (England) Order 2015. This hierarchy (which does not apply to irreplaceable habitats) sets out a list of priority actions:

- first, in relation to onsite habitats which have a medium, high and very high distinctiveness (a score of four or more according to the statutory biodiversity metric), the avoidance of adverse*

effects from the development and, if they cannot be avoided, the mitigation of those effects; and

- then, in relation to all onsite habitats which are adversely affected by the development, the adverse effect should be compensated by prioritising in order, where possible, the enhancement of existing onsite habitats, creation of new onsite habitats, allocation of registered offsite gains and finally the purchase of biodiversity credits.

Planning authorities must take into account how the Biodiversity Gain Hierarchy has been applied and if it has not been applied the reason for that or absence of a reason when determining whether to approve the Biodiversity Gain Plan. If they decide not to approve the Plan they must give reasons for that stating the elements of the plan that are relevant to the determination.

The Biodiversity Gain Hierarchy has been designed for the purpose of the statutory framework for discharge of the Biodiversity Gain condition to reflect the habitat categories in the biodiversity metric and the type of ways that the objective of at least a 10% gain can be achieved.

The Biodiversity Gain Hierarchy is distinct from the mitigation hierarchy set out in paragraph 186(a) of the National Planning Policy Framework which states that a planning application should be refused if significant harm to biodiversity resulting from the development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for.

If the applicant is able to point to an overriding need for the landscaping plan to remain in its current form, I am happy to discuss this with them and/or yourselves. My contact details are below. I have also copied in [REDACTED], my managing ecologist.

Your sincerely,

[REDACTED]

[REDACTED]

Ecologist - Greater Manchester Ecology Unit

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