

GMEU response

Summary

I recommend one bat emergence survey prior to determination. Issues relating to nesting birds, invasive species and biodiversity enhancement measures can be dealt with via condition and or informative.

Bats

A valid bat report has been provided. This has assessed the building as low risk and noted that best practice would require one emergence survey but that in some circumstances a method statement can be conditioned. Whilst accepting that for very low risk buildings a method statement can be conditioned, in this instance I would not regard the building as low enough risk for such an approach, given the number of potential roost features and high risk location due to its proximity to Broadhey Wood and the number of other buildings nearby where bat roosts have been located.

Current guidance states it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development is established before the planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision (UK Government Guidance within the ODPM Government Circular 06/2005).

I therefore recommend that prior to determination the findings of one bat emergence survey is provided.

Nesting Birds

No evidence of nesting birds was found in the building proposed for demolition, but the proposals indicate removal of existing garden trees and shrubs, potential bird nesting habitat. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. I recommend a condition along the following lines be applied to any permission.

No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

Invasive Species

Site photographs indicate the presence of Rhododendron ponticum. I recommend an informative along the following lines is applied to any permission.

It is an offence under the Wildlife & Countryside Act 1981, as amended to introduce, plant or cause to grow wild any plant listed in Schedule 9 part 2 of the Act. Species such as Rhododendron are included within this schedule. If any such species will be disturbed and removed off site as a result of this development a suitably experienced consultant should be employed to advise on how to avoid an offence.

Contributing to and Enhancing the Natural Environment

Section 174 of the NPPF 2021 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The development will result in the loss of the existing building and garden to be replaced with a building and garden. Species impacts appear

likely to be restricted to nesting birds, but may include bats. Given the similar existing and proposed usage of the site, on-site mitigation and enhancement should be feasible, if higher ecological value planting provided ie native and or wildlife attracting species and mitigation for loss of bird nesting habitat. *The details can be conditioned.*