

GMEU response

Summary

Further bat surveys are recommended for a number of trees on the site. These should occur prior to determination. Other ecological issues relating to nesting birds, invasive species, protection of the watercourse and biodiversity mitigation and enhancement can be dealt with via condition.

Bats

A valid bat assessment has been provided. This has assessed a number of trees that are proposed for removal as moderate risk and others as low risk. Current best practice guidance is that trees assessed as moderate risk require further surveys prior to determination. Low risk trees can be felled under reasonable avoidance measures.

I therefore recommend that further survey information is provided prior to determination, relating to the moderate risk trees proposed for felling or other tree works. This can either be through one emergence survey or additional tree climbing for those potential bat roosting features that could not be fully assessed from the ground or a combination to the two.

A condition can be applied for the felling of low risk trees

Nesting Birds

Trees and shrubs will be removed 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

No invasive species has been provided but the applicant has noted that himalayan balsam and rhododendron are likely to be present. Eradication would be unreasonable for himalayan balsam, assuming it is upstream of the site, rhododendron is likely part of the historic landscaping and therefore retention likely preferred for this site. I therefore recommend a condition along the following lines is applied to any permission.

Prior to any earthworks a method statement detailing control and/or avoidance measures for himalayan balsam, rhododendron and any other invasive species I should be supplied to and agreed in writing to the LPA. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the LPA.

Proximity to a Watercourse

There are risks during construction of negative impacts to the watercourse from sediment washed in to the brook, pollution from machinery and during repairs to channel walls from chemicals and cement. Post development surface water is proposed to be discharged direct to the Brook, whilst likely as is, improved drainage may increase surface water flood risk down stream. These risk are however relatively minor given the scale of the works and can be dealt with through best practice being applied during works. I recommend conditions along the following lines are applied to any permission.

No development, site clearance, earth moving shall take place or material or machinery brought on site until a method statement to protect the Brook from accidental spillages, sediment dust and debris has been supplied to and agreed by the LPA. All measure will be implemented and maintained for the duration of the construction period in accordance with the approved details.

And

No development shall take place until it can be demonstrated that there will be no negative impacts on the ecological potential of the Brook resulting from the disposal of surface water post-development submitted to and approved in writing by the Local Planning Authority. The details, as approved, shall be implemented in full in accordance with a timetable which has first been agreed in writing by the Local Planning Authority.

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. I am satisfied that the proposed landscaping is likely to fully mitigate for any loss of trees and shrubs and can be conditioned. I would also recommend provision of bird and bat boxes as mitigation for the loss of potential bat roosting features and bird nesting habitat.

The details can be conditioned.