

Planning application 70544 129 Croft Lane

Thank you for consulting the GMEU

Summary

Further bat surveys are recommended prior to determination. Other potential ecological issues include nesting birds and biodiversity enhancement measures

Bats

A valid bat report has been provided. This has assessed the building as low risk and in line with best practice one additional dusk survey recommended. 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 a minimum of one dusk survey is carried out during the peak bat activity season and the findings supplied to and agreed by the LPA.

Nesting Birds

There is no mention within the bat assessment of evidence of birds nesting on the building. There also appears to be no trees or shrubs on the site. The site can therefore be assumed to be very low risk for nesting birds. I therefore recommend an informative along the following lines is applied to any permission.

The applicant is reminded that, under the Wildlife and Countryside Act 1981 as amended it is an offence to remove, damage, or destroy the nest of a wild bird, while the nest is in use or being built. Planning consent does not provide a defence against prosecution under this act. If a bird's nest is suspected work should cease immediately and a suitably experienced ecologist employed to assess how best to safeguard the nest(s).

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain (BNG)

Section 180 of the NPPF 2023 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The development appears to have no vegetated habitat with wildlife value restricted to any bats that may be present. The proposed layout indicates that small areas of vegetated garden may be created.

With regards biodiversity net gain, I note the developer regards the site as exempt under the de minimis rule, which I accept. It is also assumed exempt as a non-major application submitted prior to the 2nd April. I am satisfied that no further information is required.

With regards section 180 of the NPPF, if small gardens are being created then the site will be enhanced in terms of vegetated habitats. Mitigation for bats may also be required dependent on the findings of the dusk survey.