

From: David Dutton <david.dutton@tameside.gov.uk>
Sent: 07 March 2022 19:41
To: Beirne, Thomas
Subject: Planning application 68086 The Nurseries Leigh Lane

Hi Tom

Thank you for consulting the GMEU

Summary

Technically updated bat emergence surveys are required. Other ecological issues remain unchanged from previous applications.

Bats

As part of the previous application bats were identified as roosting. This survey is however over 3 years old and therefore no longer technically valid. An updated assessment has been provided that concludes the building is still likely at least moderate risk for bats, but that it is unlikely to have developed as a more important roost. I have no reason to doubt the findings of the report.

Again however technically best practice would dictate that a review is not adequate where a report is over 3 years old and further emergence surveys required prior to determination and Natural England will definitely require updated surveys prior to issuing a license.

This building has however a long history of bat surveys this being the fourth renewal of the application and on only one occasion the last renewal have bats been identified as emerging. It is therefore highly likely that further surveys would find no evidence of bats, the building appearing to be used as an occasional day roost. The building has also deteriorated further since the last survey reducing the likelihood of bats roosting. Therefore I am willing to deviate from best practice and recommend conditioning of the reasonable avoidance measures, which are what I would likely require if I insisted on further emergence surveys and no bat were found. The owners also appear to have no desire to develop this building which has had permissions since around 2007 and so highly likely that new bat surveys will be required prior to demolition. I therefore recommend a condition along the following lines is applied to any permission.

The development shall be carried out in accordance with the Method Statement for Reasonable Avoidance Measures contained in the Bat Survey Report, Dave Anderson dated 13th February 2022 as already submitted with the planning application and agreed in principle with the LPA prior to determination.

Nesting Birds

A birds nest has been suspected within the building previously and the site is overgrown. All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. It is also likely that the garden provides additional bird nesting opportunities. Please apply the following condition to any permission.

No works to trees or shrubs shall occur or demolition works commence 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.

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 site consists of overgrown former garden a habitat of low ecological value but some mitigation should be provided. I am satisfied that the re-landscaping of the site can achieve no net loss, if suitable trees and shrubs are planted and bird boxes provided on the existing trees or new build. The detail can be conditioned along the following lines.

A landscape plan shall be submitted to and approved in writing by the LPA, prior to commencement of development. The content of the plan should include planting of wildlife attracting species and provide replacement bird nesting and bat roosting habitat. The approved plan will be implemented in accordance with the approved details.

David Dutton

Ecologist

Planning

Planning and Transportation

Place

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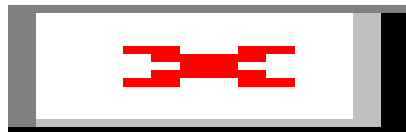
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