

Summary

Potential ecological issues include bats, nesting birds, amphibians, Himalayan balsam and biodiversity net gain.

Bats

A valid bat report has been provided. As for the previous application a small bat roost was found in the brick barn, this time a single common pipistrelle. As the surveys occurred at an optimal time of year and were in alignment with the 2014 survey (two common pipistrelle), I am satisfied that adequate survey has occurred and that the mitigation can be provided. I recommend a condition along the following lines is applied to any permission.

The demolition of the red brick barn is likely to cause harm to common pipistrelle bats as identified in the Bat Survey Report and Method Statement European Protected Species (bats) by Dave Anderson Batworker at Brook Farm shall not in any circumstances commence unless the local planning authority has been provided with either:

a) a license issued by Natural England pursuant to Regulation 53, of the Conservation of Habitats and Species Regulations 2010 authorising the specified activity/development go ahead: or

b) a statement in writing from the relevant licensing body or LPA to the effect that it does not consider that the specified development will require

All other buildings were assessed as no to negligible risk. I have no reason to doubt the findings of the report. No further information or measures are required.

Nesting Birds

No evidence of nesting birds was recorded in any of the buildings, though previously in 2014 evidence of swallow was recorded. The development will also result in the loss of scrub 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 or demolition of buildings commence in any year unless a precautionary working method statement for nesting birds by a suitably experienced ecologist has been supplied to and agreed in writing by the LPA.

Amphibians

There is a pond located within 50m of the development site. Whilst I am aware that previous surveys have failed to find any evidence of great crested newts in this pond, I am unaware of any recent surveys. *I therefore recommend that prior to determination an assessment of the ponds potential for great crested newts is provided.*

Himalayan Balsam

This species listed under schedule 9 part 2 of the Wildlife & Countryside Act 1981 (as amended) was recorded on the site. It is an offence to cause this species to grow in the wild. I therefore recommend a condition along the following lines is applied to any permission.

Prior to any development, earthworks or vegetation clearance a management strategy for Himalayan balsam will be provided to and agreed in writing by the LPA.

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

Section 187 of the NPPF 2024 states that the planning policies and decisions should contribute to and enhance the natural and local environment. 10% BNG is mandatory under Schedule 7A of the Town & Country Planning Act 1990 (as inserted by schedule 14 of the Environment Act 2021).

The development will result in the loss of the existing buildings, hardstanding and scrub, to dwellings and gardens. Wildlife issues include bats and nesting birds.

The development is not exempt from biodiversity net gain. A metric and BNG assessment have been provided, based on the indicative layout. This results in a shortfall of 0.14 area based units to achieve 10% net gain. These would need to be purchased off-site. I have a number of minor technical points. These include:

- The metric does not include the access road. The hedge may also need to be included,
- The proposed layout indicates all trees will be retained, whilst the metric shows only one as retained,
- There is probably scope to do more on site, particularly along the access road, where urban tree and hedge planting could occur.

As this is an outline application, the above could theoretically be resolved after outline permission was granted but prior to reserved matters as whilst the statutory biodiversity gain condition is applied to the outline permission, as I am satisfied that the already small deficit could be reduced and is not even if 0.14 units likely to jeopardise the viability of the development.

However, as it stands we do not know whether or not a habitat management and monitoring plan is required as currently no on-site mitigation is proposed, but should they amend the plans at reserved matters to include significant habitat creation on-site such as urban trees, scrub or a species rich native hedge one would be required.

Therefore, we need to know whether or not an HMMP will be required,

I recommend that prior to determination, the developer is asked to clarify whether they would prefer to pay for off-site contributions or do intend to provide significant on-site measures at reserved matters

I recommend provision of one bat brick and one swift brick on each new dwelling. The details can be provided via condition at reserved matters or prior to development