

From: David Dutton
Sent: Wednesday, July 31, 2024 5:06 PM
To: Clapworthy, Dean <D.Clapworthy@bury.gov.uk>
Subject: [EXTERNAL] RE: Planning application 70368 1 Ferngrove House

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Hi Dean

Thank you for forwarding the bat report.

Bats

Two dusk surveys were carried out at an appropriate time of year. No evidence of bats roosting was recorded with only low levels of bat activity. I have no reason to doubt the findings of the report. No further survey information is required. As individual bats can on occasion turn up in unexpected locations, I recommend an informative along the following lines is applied to any permission.

Whilst the development has been found to be very low risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s).

Nesting Birds

No evidence of birds nesting on the building was recorded. I 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 birds 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. 10% BNG is mandatory under Schedule 7A of the Town & Country Planning Act 1990 (as inserted by schedule 14 of the Environment Act 2021).

No mitigation is required for bats and nesting birds and the development is exempt from BNG, having been submitted prior to it becoming mandatory. As enhancement I recommend provision of one house sparrow terrace and one bat box. The details can be conditioned.

David Dutton

Ecologist

Planning

Investment, Development and Housing

Place