

GMEU response

Summary

I am not satisfied that the bat survey information is adequate or valid. Other issues relating to nesting birds, other wildlife, invasive species and biodiversity mitigation can be dealt with via condition.

Bats

A valid bat assessment has been provided that assessed the building as moderate risk for bat roosts. I have no disagreement with this report, which recommended two further surveys between May and August. Two emergence survey have been carried out by a different consultancy and no bat roost found, however one was in mid – September and the other in early October. ie both surveys are contrary to the recommendations of the initial assessment and contrary to national guidance which recommends that at least one survey has to fall between May and August.

Whilst accepting the above is guidance, the consultant need to justify why a late was justified for this site, which I do not believe they have done. I also do not believe it is possible to justify for this site given the very high risk location, with regards foraging habitats adjacent to the site and connectivity to other high value habitat and with regards the desk top evidence of recorded roosts nearby including maternity roosts. I therefore do not believe adequate survey information has been provided to demonstrate that:

“...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) “

ie whilst bats may not be present in mid – September to October they have not established that bats are not present during the peak activity season.

I therefore recommend that at least one further dusk survey and preferably two are carried out during the peak bat activity season as recommended in the original bat assessment and by National guidance.

Second, the initial assessment also identifies a number of trees with moderate bat roosting potential and recommends further survey if removal is required. It is not clear from the information supplied whether all these trees will be retained, with at least one of the trees appearing to require removal.

I therefore recommend that prior to determination clarification on whether any of the trees with moderate bat roosting potential as identified by Indigo are to be lost and if yes further bat survey information provided.

Other Protected Species

The preliminary assessment checked for all other likely or potential protected species, found no evidence of any such species and concluded that it was very unlikely that any other protected species such as badger, reptile or great crested newts were present. I have no reason to disagree with this assessment. No further information or measures are required.

Nesting Birds

Trees and shrubs will be lost as a result of the development, potential bird nesting habitat. Evidence of birds nesting on one of the buildings was also recorded and an owl box recorded on one of the

trees. 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, demolition commence or bird boxes disturbed 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.

Other Wildlife

The preliminary ecological appraisal assessed the site as having potential to provide habitat for hedgehog, a UK Biodiversity Priority Species, with desk top records indicating that this species was present nearby. Reasonable avoidance measures were recommended for site clearance (and for other wildlife such as amphibians). I have no reason to disagree with this recommendation. I therefore recommend a condition along the following lines is applied to any permission.

Prior to any vegetation clearance or earthworks a reasonable avoidance measures method statement for mammals and amphibians will be provided to and agreed in writing by the LPA

Invasive Species

Rhododendron and monbretia were recorded on the site. Both species are listed under schedule 9 part 2 of the Wildlife & Countryside Act 1981 (as amended). It is an offence to cause such species to be spread in to the wild. Whilst the site in question is not the wild, there is a risk during construction of movement of these species off-site in spoil and transfer to a site that may be classed as wild. I therefore recommend a condition along the following lines is applied to any permission.

Prior to any earthworks a method statement detailing eradication or avoidance measures for rhododendron and monbretia 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.

Contributing to and Enhancing the Natural Environment & Biodiversity Net Gain

Section 174 of the NPPF 2021 states that the planning policies and decisions should contribute to and enhance the natural and local environment. The development site consist of the existing buildings and vegetated garden to be replaced with new buildings and gardens. Wildlife issues appear to be restricted to nesting birds and potentially bats.

I recommend that any trees lost are replaced with native species and that mitigation for bats and nesting birds are provided. *The details can be conditioned.*

Ecologist

Planning

Planning and Transportation

Place