

GMEU response

Summary

Further bat surveys are recommended prior to determination. If they have not already occurred the applicant may need to withdraw and resubmit.

Bats

A valid bat assessment has been provided. This found evidence that bats access the roof void with a moderate number of bat droppings recorded, but no bats. Further surveys are required in order to determine how the roof void is utilised by bats and determine the level of mitigation required. The consultant has recommended a minimum of two further surveys, though given the level of droppings three may be required. The actual species using the loft could potentially be identified using eDNA analysis of the droppings but it is debatable whether there is any value in carrying out this type of survey for this site.

We are now outside the main bat roost survey season, if the surveys have not already occurred it is now too late in the season to carry out a survey in-line with current guidance, which for moderate or higher risk buildings requires at least one of the surveys to be in the peak survey season. ie May through to August. Surveys are also required to be two weeks apart, therefore any survey commissioned now is likely to have at least one survey towards the end of September, with the cut off for bat surveys usually around mid-September.

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). As the LPA is currently unaware of the level of use or species of bat accessing the roof it is not in a position to confidently determine whether adequate mitigation could be provided to safeguard the conservation status of the local bat population.

I therefore recommend that prior to determination further bat survey information is provided. If this survey work has not already occurred/commenced, or reasons why departure from best practice would be applicable, then I would advise that the applicant withdraw the planning application and resubmit in the Spring of 2024.

Nesting Birds

No evidence of nesting birds was recorded and trees and shrubs appear to be retained other than some pruning back of one group of trees. I am therefore satisfied that the risks of adverse effects on nesting birds is very low and can be dealt with via an informative along the following lines.

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

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 will likely result in a slight reduction of vegetated garden due to the need to make the site more accessible but trees and shrubs are retained. In terms of wildlife, loss of bat habitat is likely, with the level of mitigation

dependent on the findings of further bats surveys. No mitigation appears to be required for nesting birds, but I would recommend enhancement through provision of one bird box on the new build or retained tree. *The details can likely be conditioned.*

Ecologist