
From: Johnston, Christopher
Sent: 08 July 2022 09:51
To: Planning Comments (SMDC)
Subject: FW: SMD/2022/0242 Park Hayes Farm

Categories:

From: Planning For Nature
Sent: 07 July 2022 17:06
To: Johnston, Christopher
Cc: Sammons Ltd Planning
Subject: SMD/2022/0242 Park Hayes Farm

SMD/2022/0242

Park Hayes Farm, Blackwood Hill Lane, Gratton, Endon, Staffordshire, ST9 9AH

Replacement dwelling

0.26 hectares

Staffordshire Wildlife Trust has been asked to review the above application as part of a service level agreement with Staffordshire Moorlands District Council to provide ecology advice regarding planning and development management functions.

SUMMARY – Holding objection – amendments/ further information required.

Required before determination:

1. Improved bat roost mitigation design
2. Consideration of 1 and 2 under the Habitats Regulations regarding the need for overriding public interest, and there being no satisfactory alternatives.

Secure via condition should approval be granted

1. Detailed landscaping scheme providing biodiversity net gain.
2. Bat mitigation proposals
3. Bat sensitive lighting scheme
4. GCN RAMs method statement

Documents reviewed:

- Park Hayes Bat Activity Report, Sep 2021, Absolute Ecology
- Planning Design and Access Statement, April 2022, Sammons Architectural Limited
- Existing and proposed plans

HABITATS

Biodiversity Net Gain

Policy NE1 in the Staffordshire Moorlands Local Plan Adopted September 2020, expects that 'all development where possible seeks to deliver a net gain in biodiversity proportionate to the size and scale of the development. In circumstances where adverse impacts are demonstrated to be unavoidable, developers will be required to ensure that impacts are appropriately mitigated, with suitable compensation measures towards loss of habitat used only as a last resort where there is no alternative'

The proposal appears likely to result in a net loss of green areas at present, due to increased development footprint and new parking areas removing vegetation. The proposed limestone chipped parking area could be replaced with reinforced grass surface to reduce impact.

A detailed landscaping scheme should be secured which includes enhancement of existing areas and additional planting. In order to maximise wildlife value of landscaping, the following should be considered: short flowery lawn mix added to amenity grassland; planting of climbers, fruit trees, new native hedges on boundaries, and re-seeding of disturbed areas with wildflower meadow mix.

Additional hedge/ tree planting within the blue line land ownership to link the garden to existing trees to the south and east would also be beneficial.

SPECIES

Bats

Survey

Adequate survey effort has been undertaken and is compliant with good practice guidelines. Small summer roosts of brown long-eared bat and common pipistrelle were confirmed in the dwellinghouse which is to be demolished. In the retained outbuilding, a small brown long-eared bat summer roost is present, and a suspected Natterers bat was seen to enter but no roosting confirmed.

Impacts and Mitigation

The current proposals would result in the loss of existing roost sites in the house, and could only proceed under a Natural England European Protected Species Licence.

Mitigation measures are proposed, in the form of externally mounted bat boxes on the new house and hibernation box in the retained outbuilding, but would represent an overall deterioration in habitat suitability for void dwelling species such as brown long-eared bat. Wooden boxes of this type have value in enhancement schemes, but do not represent adequate compensation for the loss of roof void roost sites. Due to its wooden construction the longevity of this box is an issue and can only be considered a short to medium term measure rather than long-term compensation.

Two inbuilt boxes are proposed that are suitable for crevice dwelling species and may therefore be considered adequate long-term compensation for the proposed loss of the two common pipistrelle roosts.

The proposed new building design offers no potential for the incorporation of a roof void that may offer replacement habitat for void dwelling bats; therefore, the best available option would be enhancement of the retained outbuilding to form a dedicated bat barn. A bat box is already proposed for this location but further habitat improvements such as the installation of ridge boards could be easily undertaken at minimal

cost to the applicant. The permanent blocking of access points into the building would be an important measure to ensure that there are no future disturbance issues. This is a relatively low-cost solution that is likely to significantly enhance the compensation measures presently being proposed and help maintain favourable conservation status beyond the short to medium term.

Suggested model condition once mitigation has been amended:

The proposed development is to proceed in accordance with the recommendations made by XXX bat survey report, unless varied by a European Protected Species licence subsequently issued by Natural England. Agreed features for roosting bats shall be permanently installed in accordance with the approved details.

Reason: To safeguard protected species in accordance with the NPPF.

Lighting

A lighting plan should be submitted. Brown long-eared bats and Natterers bats are particularly sensitive to elevated light levels and it will be essential to ensure that lux levels are kept low around existing roosts, new roost features and along commuter routes. This is identified in the survey report, but no lighting details have been submitted with the current application. This requirement could be conditioned.

Three Tests- Habitat Regulations

As a European protected species, the LPA needs to consider the 3 tests under the Habitat Regulations, regarding whether the disturbance to bat roosts is acceptable and could be licenced. While Natural England the licencing body will make the final decision on whether to grant a licence, the LPA must try to avoid permitting development that then cannot be licenced. The tests are:

- 1. the activity must be for a certain purpose - for example, for scientific research or in the case of development, 'preserving public health or public safety or other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment '*
- 2. there must be no satisfactory alternative that will cause less harm to the species*
- 3. the activity must not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.*

Adequate mitigation would maintain the population and so satisfy test three. This could be made a condition once amended.

However, it is for the LPA to decide whether there are imperative reasons of overriding public interest, including those of a social or economic nature that would override the value of the roosts and populations involved. The evidence for this and process of considering these tests needs to be recorded as part of the decision making process.

With regards to the second test, recent planning determinations relating to the property should be considered when making this assessment in that they may suggest that a satisfactory less damaging alternative exists. The submitted Design and Access Statement indicates that implementation of earlier Permitted Development proposals remain a viable fall-back position for the applicant. It is considered that alterations to the property would represent a less damaging option, in that it would allow retention of most of the roof and roof void which are the areas supporting the identified bats roosts. Some disturbance to bats may occur, but it is likely that an EPS licence application would be granted. This option should be considered, as Natural England may not otherwise grant a licence for roost destruction.

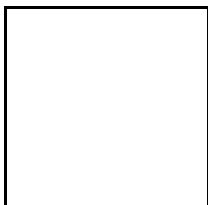
Great Crested Newts, Amphibians

There is a pond around 70m east of the site. This could impact GCN if present. As the works will be over a small area, a method statement including Reasonable Avoidance Measures to protect GCN is considered suitable, and should be secured via condition.

Regards,

Kate Dewey BSc (Hons) MCIEEM

Senior Planning Officer



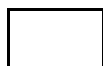
Please note, ecology advice is provided to SMDC 2 days per week- working days are normally Tuesdays and Thursdays.

Planning consultations- please send to



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