
From: Johnston, Christopher
Sent: 23 February 2023 10:40
To: Planning Comments (SMDC)
Subject: FW: SMD/2022/0458 Comments on PRA Bat and Bird Report

Categories:

Objection

From:
Sent: 18 February 2023 10:05
To:
Subject: SMD/2022/0458 Comments on PRA Bat and Bird Report

FAO: Planning Officer and Planning Department for upload to the planning portal
CC: Staffordshire Wildlife Trust

Once again, I'd like to raise the issues on this planning application which has been gained by giving the council incorrect information.

Preliminary Roost Assessment (PRA) Bat and Bird Survey

A new full complete Ecology/PRA report is required on this site, both internally and externally, due to the presence of bats, owls, birds and many other protected species in the immediate locality. Staffordshire Wildlife Trust have placed an holding objection on this planning application and, once again, the planning consultant was trying to rush this through - trying to get it through the planning committee with two days notice! I thank Chris Johnston, Planning Officer, for his transparency on this and for giving us time to respond appropriately, although 14 days is still not long enough for professionals with heavy workloads (i.e. Staffordshire Wildlife Trust). I'll make the following comments on the "Preliminary Bat Roost and Bird Assessment" completed on the 6th February 2023

- 1) 1st page - address incorrect (not being pedantic but we should expect official reports to have the basic information reported accurately)
- 2) Page 8 - Tree Survey. The author has uploaded incorrect plans to this part of the report. Page 19 has the correct plans. I have asked the author of the plans to comment as to whether the use of incorrect plans has any affect on the validity of the report. As above, for consistency and accuracy, I would think the correct plans should be used in this report.
- 3) The bat roost assessment has only been completed on the trees and not the building that is to be **demolished**. No internal inspection has been carried out recently. The previous report, dated September 2019, was completed for a totally different development proposal. The original report was done based on **re-development of an "agricultural building" to a residential premise** with no alteration to the surrounding landscape - not demolition and re-building of three homes. I have highlighted this with the Staffordshire Wildlife Trust and the author of the report. We are in receipt of an email from Elite Ecology who are willing to provide a statement that the original survey was based on conversion of the existing building as opposed to demolishing the building and rebuilding three homes, with significant harm to the surrounding landscape. The plans need

ripping up and starting again - once again outline planning was given on the back of incorrect information by the applicant and was either not read or investigated/actioned appropriately:

Section 193 (6) of the Town and Country Planning Act states:

- (6) If any person, for the purpose of procuring a particular decision on an application (whether by himself or another) for
- (a) knowingly or recklessly makes a statement which is false in a material particular; or
 - (b) with intent to deceive, produces, furnishes, sends or otherwise makes use of any document which is false or misleading in a material particular; or
 - (c) with intent to deceive, withholds any material information,
- he shall be guilty of an offence.
- (7) A person guilty of such an offence shall be liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum, or
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine, or both.

In addition, the original PRA/Ecology report that was done is now out of date.

4) There is evidence the site is on a bat commuting route into the woods and evidence of bats have been seen in all surrounding properties, I believe there is a requirement to complete a Bat Emergence and Re-entry survey (BERS) and this report needs to be done based on the **correct plans**, at the **correct time (May and August)** and in accordance with the **correct application of the site** (i.e. based on demolition and the building of three properties).

5) Staffordshire Wildlife Trust also made a number of other recommendations which have still not been addressed for Badgers and Great Crested Newts

6) There is still no information on the drainage scheme, as advised by Staffordshire Wildlife Trust

7) The plans have changed considerably from Staffordshire Wildlife Trust's (Kate Dewey) last report. The addition of the courtyard has removed some biodiversity gains, as there is now a lot less lawn plus adding to the issue of drainage. Further comments should be sought from Staffordshire Wildlife Trust, not just on the PRA survey but also on the change of plans

I have copied Staffordshire Wildlife Trust in this report to highlight some of the issues above and thank them for their assistance in this matter.

Many thanks

Tracy Smith

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