

Dear Sir/Madam

SMD/2024/0512

Conversion and Alteration of Domestic Outbuilding to Form 1no. Dwellinghouse and Associated Works

Easing Villa, Stile House Lane, Leek, Staffordshire, ST13 7LS

Site = 0.17ha

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.

The application is a Full (Minor) application for the conversion and alteration of a domestic outbuilding (former barn) to form a single dwellinghouse with associated works. The existing building is currently in use as a domestic store, hobby room and workshop. The proposed works to the outbuilding includes the introduction of a small window in the northeast elevation of the building and the addition of rooflights. Two outbuilding within the application site (stables and car port) are to be retained unaffected. A new boundary wall and mixed hedge is proposed and an existing access point onto Stile House Lane is to be incorporated into the design.

It is noted that the site has previously been subject to consent for alternation to the associated outbuilding and change of use of the first floor of the barn under application SMD/2020/0543, which has been partly implemented. We note that this permission did not appear to allow for any impact on the first floor of the building where a bat roost is now known to be present.

We have viewed the following documents:

- Block and Location Plan (RLM1113/7 Rev. B, dated November 2023);
- Site Plan and Photographs (RLM1113/8, dated November 2023);
- Revised Elevations as Proposed (RLM1113/6 Rev. D, dated December 2023);
- Preliminary Bat Roost Assessment and Bird Survey Report (Tamworth Property Services, dated 20th February 2024);
- Bat and Bird Survey Report (Fauna Forest Ecology, dated November 2024); and
- Planning Statement (Rob Duncan Planning Consultancy, dated November 2024).

SUMMARY – Staffordshire Wildlife Trust, having reviewed the information provided, recommends a **holding objection** until further suitable information is obtained, as follows:

1. Descriptions and evaluation of the habitats within the application site and any trees on or adjacent to the application site should be provided and any impacts of the proposed scheme should be assessed;
2. Additional assessment of building/structures and trees on or near to the site in respect of roosting bats should be undertaken and the results used to inform mitigation/compensation measures;
3. Further information / clarification on the proposed bat mitigation and compensation measures are requested, in particular to ensure the proposed dedicated 'bat loft' will continue to support the brown long-eared bat (*Plecotus auritus*) maternity roost and to confirm that bats will not be left without a roost during the anticipated development schedule;

4. Assessment of the proposed development on other protected or notable species should be undertaken including a desk study as required; and
5. Further clarification of how the scheme meets the *de minimis* exemption for Statutory Biodiversity Net Gain is required, using the appropriate date for the baseline.

A small number of planning conditions are also recommended covering avoidance of impacts on nesting birds, provision of a suitable ecologically sensitive lighting plan and provision of a bird nest box scheme.

DESIGNATED WILDLIFE SITES

Kniveden Hall (east of) Local Wildlife Site (LWS) is approx. 300m from the application site. No specific evaluation of this designated site is presented, however, there does not appear to be any potential impacts likely as a result of the proposed development.

HABITATS

Habitats on the application site are not described and no habitat map is presented. The site plans suggest trees are adjacent to the site with root protection areas (RPA) potentially within the site. It is not clear if they are being impacted by the proposed scheme (including indirectly, by lighting or drainage for example) or if/how they are to be protected.

A review of the Ordnance Survey (OS) map for the area shows watercourses / waterbodies within 500m of the application site that are linked to the site by habitat potentially suitable for wildlife movement.

Given the above habitat features and potential impacts, we would expect the ecology assessment to include an assessment of potential impacts on habitats within the application site, trees on/adjacent to the site and also consider any potential impacts on amphibians or other protected species that may be associated with any waterbodies within 250m of the application site boundary.

PROTECTED SPECIES

Bats

The Bat and Bird Survey reports (dated February 2024 and November 2024) provide information on the range of bat surveys completed, and these surveys are up to date and are largely in line with current guidance.

The surveys confirm a brown long-eared bat maternity roost is present within the building proposed for conversion, a maximum count of 11 bats emerging. The building is also identified as having Low potential for hibernating bats.

The nature and scale of the work proposed will impact upon this confirmed bat roost and may result in harm to bats and/or damage to/modification of the confirmed roost and the report indicates a bat mitigation licence will be required.

The assessment should also consider any indirect impacts on the maternity roost due to the proposed scheme, such as fragmentation or isolation of the roost that could cause roost abandonment.

No formal bat roost assessment has been undertaken on other buildings, structures or trees on or near to the site. Given that satellite roosts are commonly associated with maternity roosts, an assessment of nearby buildings/structures/trees should be undertaken to ensure the full impact of the proposed development on local bat populations can be identified.

All native species of bat are designated as European Protected Species. Where a European Protected Species will be affected by a proposed scheme and, therefore, a licence is required for the development, the LPA should actively consider the '3 tests' within the Habitat Regulations, in order to have due regard to the Habitats Directive. This also ensures that a permitted development is capable of delivering a licensable solution, to avoid potential issues at the licensing stage.

Outline mitigation and compensations measures are provided in both reports and taken together there is a recommendation for retention of the maternity roost within the final design as a dedicated 'bat loft' which is very much welcomed.

The outline 'bat loft' design, however, appears to have been developed prior to the categorisation of the roost as a maternity roost for brown long-eared bats. There is insufficient information provided on how the 'bat loft' design will provide the conditions necessary to retain the maternity bat roost at this location and whether the current access points the bats are using to enter/leave the roost can be retained or need to be relocated/modified in any way.

A statement / further details on how the design of the proposed dedicated 'bat loft' will support a maternity roost for brown long-eared bats, drawing on the survey information provided in the August 2024 Bat/Bird Survey Report, is requested. Consideration should be given, for example, to minimum height required for this type of roost along with how current access points will be retained. This is to ensure the maternity roost will not be 'functionally' lost at the site.

The architectural plans submitted with the application should clearly show the dimensions of proposed 'bat loft' and access points along with the likely locations of other bat mitigation/compensation features. A note that a traditional 1F bitumen roofing felt must be used within the 'bat loft' area should be included on the plans. This is to ensure sufficient information is available on all appropriate documentation and that the proposed 'bat loft' and other bat features can be suitably accommodated within the design.

Furthermore, the scheduling of the work in relation to impacts on bats and completion of the 'bat loft' should be further clarified. The August 2024 bat/bird survey report indicates that work should be completed by 'late April 2024' or otherwise 'cannot start until October 2025'. We agree with this, however, in addition bats should not be left without access to their maternity roost during the active bat season and an assessment should be presented to ensure this is feasible within the expected development timeframe. If this is not feasible, additional mitigation/compensation approaches may need to be included.

There should be a commitment to suitable post-development monitoring of the bat mitigation/compensation features within the application documentation.

Other Protected Species

The Bat/Bird Survey Reports report suitable opportunities for nesting birds at the site although no evidence of nesting was found within the building. We agree that timing of works to avoid the bird nesting season would be appropriate to avoid risk of disturbance or harm to these species. We suggest that this is included in a reasonable avoidance measures document that can be secured by planning condition.

Bird nest boxes are recommended for the site, and this is welcomed. Details of any bird nest box scheme should be secured by planning condition.

There is no statement regarding / assessment of potential for other protected species to be affected by the proposal and this should be provided.

SENSITIVE LIGHTING STRATEGY

We note and welcome the recommendation in the bat and bird survey report (August 2024) for a sensitive low impact lighting strategy to minimise disturbance to roosting bats and other wildlife and this should be secured via a suitable planning condition.

BIODIVERSITY NET GAIN ASSESSMENT

The Applicant indicates that the proposed development meets the *de minimis* exemption. However, there is insufficient information provided to adequately demonstrate this. The Planning Statement provided with the application indicates that '*externally it is proposed to create area an area of amenity space to the northwest of the building within the existing field*' and that the '*proposed area of amenity space will exceed the minimum required standard of 65m² as set out within the Local Authority's Space About Dwellings Standard*'. Both these statements suggest there may be a larger area of habitat on the site. Furthermore, viewing the aerial photography imagery available for the site, it appears that there are several trees and other vegetation within the site.

We would, therefore, expect a habitat map to be prepared for the site along with a clear and sufficiently detailed statement to confirm the *de minimis* exemption is met¹.

We look forward to receiving the additional information in due course.

We may wish to make further comments on this application upon review of the additional requested information.

Regards,

Dated 09 December 2024

¹ <https://www.gov.uk/guidance/biodiversity-net-gain>