

Burrell, Becky

From: Pinna-Morrell, Gillian
Sent: 08 September 2025 11:35
To: _planningadvice
Subject: General Enquiry

Hi, can you please attach the comments below to application H02-0575-25 as consultation response from the Council's Ecologist with the code 2STAND, thanks.

H02-0575-25 - Demolition of existing buildings, construction of 9 dwellings including car parking, infrastructure and landscaping.
Speechley's Yard North Street Crowland

Summary: Insufficient ecological information has been provided with this application, and the authority should require further bat survey work prior to determining this application.

Documents reviewed:

- BNG Statutory Metric
- BNG Assessment
- Preliminary Ecological Appraisal

Comments

Ecological Considerations:

- The Preliminary Ecological Appraisal identified the potential for bat roosts within several buildings on the site. However, no further investigative work has been undertaken, therefore, we argue that there has been insufficient evidence provided to adequately assess the effects of the proposed development on local bat populations.
- Bats are protected under the Conservation of Habitats and Species Regulations 2017 and The Wildlife and Countryside Act 1981. Herein, local authorities "*must exercise their functions which are relevant to nature conservation...so as to secure compliance with the requirements of the Directives*". In addition, *R (on the application of Simon Woolley) vs. Cheshire East Borough Council 2009 EWHC 1227* further clarified the legal duty that local authorities have to engage with the directives and consider the impacts on European Protected Species when determining a planning application.
- Therefore, the Local Planning Authority should have quantitative survey information included as a material consideration in the determination process to assess whether the loss of habitats will have a significant impact on local populations of protected species and to evaluate whether an EPS license will be obtainable to carry out the works. This would demonstrate the authority's engagement with its duty to conserve biodiversity as prescribed by legislation, and would avoid leaving the authority in a legally vulnerable position should significant populations be discovered on site after permission has already been granted.
- Thus, a series of emergence/re-entry surveys should be undertaken during the active bat season following best practices with results submitted to the authority pre-determination. For example, Building 2 has low bat roost potential meaning it requires 1 emergence/re-entry bat survey to be completed pre-determination. Buildings 3 and 4 have moderate bat roost potential meaning they require 2 emergence/re-entry bat surveys each to be completed pre-determination.
- We support all mitigation and enhancement recommendations provided by the ecologist in the PEA.

BNG Comments

- Overall, the biodiversity assessment and metric calculations appear rigorous, and we can have confidence in their conclusions. In this case the metric indicates that 10% mandatory net gain can be achieved on-site with a predicted overall gain of 11.21% in Habitat units (0.04 unit gain) and 672% gain in hedgerow units (0.08 unit gain).

Conclusion: Further survey work is required before we can support the determination of this application. However, we are confident that 10% biodiversity net gain can be achieved on site for this application.

Please get in touch if you have any questions or concerns.

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