

Consultee Comments for Planning Application APP/24/00815

Application Summary

Application Number: APP/24/00815

Address: 24 St Georges Avenue, Havant, PO9 2RX

Proposal: Renovation and extension of existing bungalow including aside and rear extensions, first floor rear extension and front dormer, altered windows, raised ridge and altered materials.

Case Officer: Robert Riley

Consultee Details

Name: Consultee Principal Ecologist

Address: Public Service Plaza, Civic Centre Road, Havant PO9 2AX

Email: Not Available

On Behalf Of: Ecologist

Comments

Dear Rob,

APP/24/00815 | Renovation and extension of existing bungalow including aside and rear extensions, first floor rear extension and front dormer, altered windows, raised ridge and altered materials. | 24 St Georges Avenue, Havant, PO9 2RX

Thank you for consulting me on this application.

The application is accompanied by an Ecological Impact Assessment (South Downs Ecology, September 2024). During an initial visual inspection a single Pipistrelle Bat was observed beneath a hanging tile, confirming the building as a bat roost. Two bat emergence surveys were carried out in summer 2024 during which no bats were observed emerging. It is concluded that the site currently supports a low status, non-breeding bat roost. The report includes a series of sensible avoidance, mitigation and compensation measures and these are acceptable.

This development will affect bats, which receive strict legal protection under UK law by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2017 (commonly referred to as the Habitats Regulations). Where development affects a European protected species (EPS), permission can be granted unless the development is likely to result in a breach of the Habitats Regulations and is unlikely to be granted a licence from Natural England to allow the development to proceed under a derogation from the law.

Will the development result in a breach of the EU Directive?

Is the development unlikely to be licensed?

An EPS licence can only be granted if the development proposal is able to meet three tests:

- 1) the consented operation must be for 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; (Regulation 53(2)(e))
- 2) there must be no satisfactory alternative (Regulation 53(9)(a)); and
- 3) the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range (Regulation 53(9)(b)).

It is for you as the case officer to assess the proposals against the first two tests you may wish to ask for further information from the applicant. In order to assess the development against the third test, sufficient details must be available to show how killing / injury of bats will be avoided and how the loss or damage to bat roosts will be compensated. A mitigation strategy has been provided, detailing specific measures to avoid harm to bats during the construction works and to provide compensatory roosts and enhancement features within the development. I would support these measures and, on the basis of the information currently available, and if you are satisfied that the first two tests can be met, I am confident that the development is not unlikely to be licensed. I would recommend that LPAs engagement with the Habitats Regulations is detailed in your report.

Provided that the agreed mitigation proposals are implemented, I would have no concerns over these proposals. If you were minded to grant permission, I would suggest that the measures are secured through condition.

Development shall proceed in accordance with the ecological avoidance and mitigation measures as detailed in the Ecological Impact Assessment (South Downs Ecology, September 2024) unless otherwise agreed in writing by the Local Planning Authority. Reason: to provide ecological protection in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.

If you have any queries, please don't hesitate to contact me.

Kind regards,

Tristan

Tristan Norton

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Planning Services, Havant Borough Council, Public Service Plaza, Havant, PO9 2AX