

Subject: RE: Kanga Warren_Planning Application APP/21/01455

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Dear Selina,

APP/21/01455 - Kanga Warren, Pycroft Close, Hayling Island, PO11 0RZ - Single storey front extension; single storey rear extension; extension of the first floor roof and addition of a flat roof dormer; render finish to elevations and timber cladding; fenestration alterations and ground floor terrace to front; raised decking to rear and side; extension to existing single storey garage

I have now reviewed the further information provided which confirms the presence of a non-breeding day roost for low numbers of soprano pipistrelles within the dwelling. The development is therefore likely to result in a breach of the EU Directive underpinning the Habitats Regulations.

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. 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 impacts to bat roosts will be addressed. In this case, a method statement is provided that includes methods to be followed during the development to ensure bats are not disturbed, killed or injured, together with new roosting opportunities to be provided within the extended dwelling. I would support all 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.

Provided that the agreed mitigation proposals are implemented, I would have no concerns over these proposals. Therefore, if you were minded to grant permission, I would simply suggest that the following condition be added to the decision notice:

- Development shall proceed in accordance with the measures set out in Section 5 'Mitigation Requirements' of the Bat Emergence Survey Report by ESL Ltd. (August 2022), unless varied by a license issued by Natural England. Thereafter, the replacement bat roost features shall be permanently

maintained and retained in accordance with the approved details. **Reason:** to ensure the favourable conservation status of bats.

Please do not hesitate to contact me if you have any queries.

Kind regards,
Maral