

Memo

To: Gary Miles

From: Cathy Holwill (RBC Ecology Consultations)

CC:

Date: 1 July 2024

Re: Application ref: 240682

Address: 208 Henley Road Reading RG4 6LR

Description: Double storey rear extension, single storey rear extension, loft Conversion, rear garden fence and removal of existing trees

The application site is a detached dwelling in a residential area of Caversham. Proposals include a two storey rear extension, loft conversion and removal of a number of trees. The proposed works will lead to extensive changes to the roof and the plans appear to show removal of a chimney.

The Bat survey report (Arbtech, June 2024) has been undertaken to the appropriate standard and concludes that the house has a number of features potentially suitable for use by roosting bats. As such, the report states that further survey would need to be undertaken to determine if the building hosts a bat roost.

The results of the surveys would need to be provided prior to the determination of the application, or the application would need to be refused on the grounds that insufficient information has been provided for the council to determine the likely impact of the proposals upon bats, which are a protected species and material consideration in the planning process. Further information is given below.

Planning policy and legislation

All species of bats receive special protection under UK law and it is a criminal offence under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2010 (The Habitat Regulations), deliberately or recklessly to destroy or damage their roosts, or to disturb, kill or injure them without first having obtained the relevant licence for derogation from the regulations from the Statutory Nature Conservation Organisation (the SNCO - Natural England in England).

If a bat roost will be affected by the works, a licence for development works affecting bats (i.e. for derogation from the provisions of the Habitat Regulations) will need to be obtained before works which could impact upon the roost can commence. This involves submitting a licence application to Natural England with a detailed mitigation plan informed by surveys undertaken in accordance with national guidelines.

Paragraph 99 of the government Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System (this document has not been revoked by the National Planning Policy Framework) states that:

“It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted.”

In this case, since 1) the extent to which bats (which are a protected species) may be affected by the proposals has not been established, and 2) there appear to be no “exceptional circumstances”, the application would not be in accordance with the above planning policy.

Further survey requirements

The Bat Conservation Trust’s Bat Survey Guidelines state that to determine the presence or absence of bats where the building has been assessed as having “moderate” suitability for use by roosting bats (as is the case here) two dusk emergence bat surveys need to be carried out. Surveys need to be carried out between May and the end of August.

Summary

The house has a number of features potentially suitable for use by roosting bats and further surveys would need to be undertaken to confirm if the building hosts a bat roost. The application should not be determined until the surveys have been carried out and the results submitted to the council. If this information is not provided, the application would need to be refused on the grounds that insufficient information has been provided for the council to determine the likely impact of the proposals upon bats, which are a protected species and material consideration in the planning process.