

## HERTFORDSHIRE ECOLOGY

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Lucy Hale  
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Ask for: Bernie Fleming  
Tel: 01992 555220

Date: 13 April 2016

Dear Lucy,

### **6/2016/0398/HOUSE**

**Conversion of existing loft space including addition of new dormer windows & roof light. Re-arrangement of the internal layout. External Alterations to include reduction of portico, change to fenestration, change of roof finish from plain clay tiles to slate and addition of stone sills and quoins**

**35 Kentish Lane, Brookmans Park, Hatfield AL9 6NG**

Thank you for providing the bat survey (Crossman Associates, April 2016) that accompanies this application. The need for this survey was described in my letter of 5 April.

This report notes the presence of a small number of old, brown long-eared bat droppings. It goes on to conclude that the property provides 'moderate suitability' for bats and that two further *activity surveys* are required. The absence of evidence of breeding birds is noted.

The report provides a useful description of the evidence, the property and the surrounding landscape and the role the latter play in determining the overall outcomes. I have no doubt the survey was carried out thoroughly and efficiently but the report also contains flaws. Photographs of the droppings are not provided but, more importantly, the report only appears to draw on the now superseded 2<sup>nd</sup> edition of the *Bat Conservation Trust Good Practice Guidelines*, not the current 3<sup>rd</sup> edition. In addition, section 2.5 appears to be unfinished. Furthermore, given that the age and number of droppings suggest very low usage of the loft some time ago, the evaluation and recommendation for two activity surveys appears to be very precautionary.

Despite this, it is clear that bats have utilised the property, at least in the recent past, and that the building retains the potential to support bats. All native bats are protected under domestic and European law and, in general terms, it is an offence to disturb or harm a bat, or, damage or obstruct access to a roost or place of shelter.

As significant modifications to the roof space are proposed, bats that rely on the property could be harmed. The Guidelines are also clear that properties with *moderate suitability* require two activity surveys. Without the evidence that these surveys would provide, the Local Planning Authority (LPA) could not be certain that an offence could be avoided and, therefore, would not normally be able to determine this application. To comply with best practice and case law, these surveys should not be conditioned, especially as the survey season is about to start.

Therefore, ***prior to determining this application, the LPA should require that two activity surveys are completed between May and August by an appropriately qualified and experienced ecologist to evaluate whether bats roost or shelter in the property. Such surveys must follow established best practice (Bat Conservation Trust, Good Practice Guidelines, 3rd edition, 2016) and the outcomes must inform the content of mitigation measures if required.***

The report should be submitted to the LPA for consideration prior to determination when we would be happy to advise further; given the seasonal constraints that apply, the applicant should avoid unnecessary delay.

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I hope these comments are helpful.

Yours sincerely,

Bernie Fleming

Ecology Advisor, Hertfordshire Ecology

Providing ecological advice to Hertfordshire's Local Authorities and communities

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