
From: Neve Thomson (CPC) <neve@cpcplanningconsultants.co.uk>
Sent: 28 July 2022 10:11
To: Osborne, Lee
Cc: Jeremy Heppell (CPC)
Subject: RE: External Mail: RE: 22/00060/FUL - The Holt Hotel, 285 Warrington Road, Whiston
Attachments: The Holt Hotel-Emergence survey report-Rev1-26 07 22.pdf

Dear Lee

I hope you are well.

We have reviewed the recent comments from Environmental Health and Transportation and Traffic Services and would like to respond as follows.

Environmental Health

Generally, we consider that the environmental health comments dated 7 March take the most negative stance possible on acoustic issues, with no attempt at a balanced view. This attitude extends to querying the height that the microphone was placed above the ground during noise readings, and commenting on areas outside the officer's expertise, such as the amount of car parking provided.

Having spoken with our acoustic consultant, we are doubtful that the environmental health officer has understood the acoustic data we have presented correctly. Below I have responded to many of the queries raised by the officer.

Disturbingly, the officer appears to have prejudged the issue, as the consultation response states: "Below are some of our comments on the noise report, although even if these were addressed, the uncontrollable nature of noise from vehicles/customers using the shop make this development unacceptable for the site, and our objection would still stand", indicating that regardless of the evidence presented, the environmental health officer will object to the development. This is not an appropriate stance to take, and ignores the following factors:

- The implication of the environmental health officer's stance is that vehicle/customer noise associated with the convenience store pose a threat which is not capable of being controlled. This comment vastly overstates the risks, as vehicles and customers already use the car park throughout the day, and the application proposes mitigation measures, such as the provision of acoustic fences.
- Convenience stores are not by their nature particularly noisy uses. They generate a steady flow of customer traffic throughout the day, and a couple of deliveries in the early part of the day. Convenience stores frequently coexist with residential properties, and many convenience stores have residential uses on the upper floor(s). There is no reason why convenience stores and dwellings cannot coexist satisfactorily.
- This is already a noisy location, with continuous noise from Warrington Road from early in the morning and throughout the day, and noise from the pub until late in the evening. The baseline position seems to have been largely ignored by the environmental health officer.
- The environmental health comments pay no regard to the benefits that the convenience store offers in terms of noise reduction. Warrington Road is a noisy road throughout the day, and the main source of noise to residents living next to the site. The convenience store offers a significant environmental benefit as it will absorbing existing noise, meaning that residents to the rear of the site will enjoy an improved noise environment in the future.

We have considerable concerns with the approach taken by the environmental health officer, and in this regard, I would like to draw your attention to a recent convenience store permission granted by St Helens Council at the Boars Head in Thatto Heath. The Boars Head is located adjacent to a busy crossroads, and the new convenience store will be located in the in the existing car park, with the pub retained. The shared car park for the pub and store will be located adjacent to a number of houses. A link to the scheme is provided below.

<https://publicaccess.sthelens.gov.uk/online-applications/applicationDetails.do?keyVal=QTGPW4PEK8D00&activeTab=summary>

The similarities between the Boars Head and Holt scheme are evident, yet St Helens Council was content with the close proximity of the proposed convenience store to adjacent houses, subject to appropriate mitigation measures being taken. St Helens' approach mirrors the approach taken by other planning authorities around the country, who as a rule do not take issue with placing convenience stores next to houses, provided appropriate mitigation is put in place.

Our company submits a number of planning applications for convenience stores each year, and I'm happy to share some of our planning permissions with you to illustrate the point that your environmental health officer is completely out of step with every other Council we have dealt with, by taking the precautionary approach – if I can call it that – to unprecedented and unwarranted levels.

The lack of objectivity in the Environmental Health comments is encapsulated in their concluding comment that “Even if the above points are addressed, Environmental Health does not believe that this site is suitable for the proposed use and our objection is likely to remain”. In other words, Environmental Health have an objection in principle to a convenience store on the site, regardless of the data and mitigation measures are put forward.

Addressing the detailed comments in the Environmental Health response, I would respond as follows:

Query: justification is required as to why the microphone was positioned at least 2.5m from ground level? Ground level impact should also have been assessed.

Response: mainly security, the site is not secure and thus the microphone was fixed to the fence, at the residential boundary. The report clearly includes numerous ground level measurements and assessments throughout for each noise source.

Query: justification is required as to why the plant noise levels are unknown. It is assumed that the builds for the proposed convenience store are all similar, and it would be assumed that the same plant equipment would be used in each store, therefore the information should be known, and the appropriate calculations should have been completed.

Response: we are not acting for the convenience store and thus have no knowledge of the plant to be installed. Most Councils are content for target levels to be set pending confirmation of the plant specification at discharge of conditions stage.

Query: clarification is required in relation to the delivery noise assessment on the existing dwellings. The predicted noise level, the report stated, applies at a distance of 10 metres. When you move away from the noise source the general rule is that for every doubling of the distance, the noise level reduces by 6dB. This would mean, in this case, that the total distance from the source would need to be 30 metres, for the noise to reduce by 6dB. In the assessment they state the distance is 20 metres, yet they have used the 6dB reduction. We do not believe this is correct as the closest residents are not 30 metres away.

Response: the above is incorrect, the report states a source distance of 10m, and a receptor distance of 20m (20 is double 10) and thus a reduction of -6dB using $L_2 = L_1 - 20\log(r_2/r_1) = -6$. Please also note that this calculation is using the SEL values rather than the LAeq values at 10m. the equation used for this is clearly shown on page 17 of the report.

Query: justification is required as to the use of 2 hours as a reference period in section 8.2 (Table 3), for deliveries for vehicles arriving, reversing, leaving and why a time correction has been used in Table 4. These figures do not give a true reflection of the impact of the noise. The LA_{max} values should be assessed from these activities and

for the development, and not just the predicted noise over time as the impact of the maximum values is lost. Having repeated high level noises throughout the day could amount to a statutory nuisance, but it could prove difficult to take action against, depending on the type of noise. The assessment details 2 – 3 deliveries, however the calculation should have been completed for one and discussed this could occur 2 -3 times a day.

Response: the calculations take the number of events into account (same as roll cages) and reference it against a time period. The deliveries will take place during an approximate 2hour period but will not be apparent for the entire duration, so a calculation has been performed to allow for the time period, again we are using the SEL values and not LAeq.

Query: the report states a 'newspaper' delivery will take place before 7am every day, in a transit sized van and the impact is negligible. Environmental Health disagrees with this statement. The noise from this activity should have been assessed, as the van engine noise together with the noise of the doors being opened / shut, could be noticeable at that time in the morning and could cause a statutory nuisance. It could be the L_{Amax} values from these deliveries that disturb the nearby residents.

Response: during this time, the road traffic noise is at such a level that it would appear like any other vehicle movement. The L_{Amax} for vehicle movements has been included in the report in detail.

Query: section 10 of the report calculates the noise associated with the roll cage from deliveries, however the distance used is incorrect (as detailed above) resulting in the wrong distance correction factor being used. A reference period of 2 hours has also been used, resulting in a -36dB reduction. We are not sure why a reference period of 2 hours has been used. What is the impact of the cage movement for the duration it will happen (for example 30 seconds / 1 minute – from van to store) and how often this occurs. How many cages are in a delivery?

Response: the roll cages movements will take place at the front of the store, which is approximately 20m from the dwellings. The calculations use the SEL values and the equation is also shown on page 17. There is no direct standard to work to for this type of noise and therefore the included works seem appropriate. The calculations include number of events and there is a whole section of length of event, and other noise levels associated with roll cages. A period of 30secs noise should not be used in isolation, it must be referenced against a period of time to ascertain the impact over that time period.

Query: the noise report states, "It is clear to see that the calculated noise levels for the vehicle movements will not increase the current noise levels apparent at the site." And "The conclusions of these calculations are that the noise associated with the varying sources should be comparable to the current daily noise exposure experienced by the local residents with respect to both the public house activity and the vehicular traffic using the local road network." Environmental Health disagree with this statement, as the noise associated with the development will significantly increase the number of noise events on the nearby residents compared to what they experience now.

Response: the report has included numerous calculations for a variety of noise sources indicating the levels at the boundary.

Query: some of the gardens of some surrounding properties are less than 5m away and the nature and frequency of the noise from vehicles coming / going and car doors shutting will, we believe, impact the resident's enjoyment of their garden. No assessment has been provided on the noise levels residents will experience in their gardens.

Response: extensive calculations have been included stating what the levels will be at the residential boundary.

Query: the report details that an extensive traffic investigation has been undertaken and that the use of traffic associated with the store will not have an adverse impact on the local area, and traffic will be contained within the proposed car park with the client undertaking suitable car park management – what is proposed for this?

Response: car park management measures are addressed in our response to the Transportation and Traffic Services comments, and are not an Environmental Health matter.

Query: the noise report provided no information on the number of vehicles that currently use the pub car park each day. From the map they provided in the report, which shows the noise monitoring points, the pub car park

was quite full (see below), how do they propose to accommodate pub customers and shop customers on this site. The proposed car park has 25 car parking spaces, for both the proposed development and the pub. We do not believe that the proposed car park will have enough spaces for both pub and shop customers. The availability of car parking spaces may only become apparent when you enter the site. This could result in cars waiting for a space, and idling whilst doing so, or driving straight in and out of the site, potentially causing unnecessary air quality and noise issues for the surrounding residents. Customers may also choose to park on the surrounding roads causing more noise issues for residents.

Response: the levels were taken on separate visits to the site and the values measured, this is all included within the report along with robust and accurate calculations that appear to have been interpreted incorrectly. The distances in the report are accurate and the corrections too (20m to 10m etc) and thus we feel that the report is accurate and assesses the possible impact from a variety of sources.

Query: given the nature of how the development will be used, i.e., customers / vehicles coming and going, the assessment needs to concentrate more on how the maximum noise levels and the frequency of their occurrence will impact on the surrounding residents. Averaging these maximum levels over time does not give a true assessment of the impact they will have.

Response: The noise levels associated with the L_{Aeq} of vehicle movements, L_{Amax} of vehicle movements, L_{Amax} of car doors closing and the noise levels associated with roll cages were all assessed in a number of ways, including sound propagation over distance, which gave single figure readings at the facade before any averaging over time was implemented. This is clearly shown within the report. Some further calculations were then also included to take into account the time periods involved, but the direct calculations for distances (in the absence of any other mitigation, screening or barriers) were included within the report.

Highways

As with the Environmental Health comments, those of Transport and Traffic Services dated 1 June are notable for their lack of balance, as exemplified by the fact that they find fault with various detailed aspects of the scheme even though the scheme has approved by an independent Road Safety Audit.

By way of background, the access and parking arrangements shown in the current application have been extensively reviewed since the last submission and a number of changes made to the layout of the shared car park. The fact that criticisms are still being levelled at the scheme is very disappointing.

Taking the allegation regarding visibility splays first, the Transport and Traffic Services comments have applied the recorded dry weather speeds to calculate the visibility splays, however Manual for Streets advises that you should take 4kph off dry weather speeds before calculating visibility splays, as the deceleration rates are based upon a wet road. The splays are therefore correct on the submitted plan. The visibility at the north splay can be dealt with by condition, by ensuring that wall is 600mm or below, or removed, as per the submitted plans.

In regard to refuse collection, this is currently undertaken by a commercial service for the public house, and this will continue for both users in future. Therefore, the size of refuse collection vehicle can be adjusted as necessary to suit the car park arrangements. This can be controlled by condition if required.

Similarly, the other issues raised can also be controlled by condition or management plan. Where tweaks to the plans are considered necessary, we are happy to provide them. None of the highway safety points raised warrant a refusal, and we would be happy to enter into a dialogue to resolve them, albeit a dialogue sadly does not seem to be forthcoming.

Transport and Traffic Services reject the junction capacity data collected by the applicant, on the grounds that the data is not fully representative of post-lockdown traffic levels, despite the survey dates having been agreed in writing with St Helens Council, which controls the traffic light junction. Given the difference of opinion between the councils, it would be expected that there would have been dialogue with St Helens Council to resolve the issue, but it appears that no such dialogue has taken place, which is difficult to comprehend.

Reference is made to lockdown restrictions skewing the data, but Step 3 of the Government's Roadmap out of Lockdown removed all restrictions on customers using public houses from 17 May 2021 (as the quotation included in the highways comments illustrates). The traffic data was collected on 21 May, after this date, and is therefore accurate. Working from home is mentioned in the comments, but since working from home is part of a trend that is ongoing, this would imply that there is never going to be a point at which survey data will be accepted by the Council.

The applicant confirms that in its view the survey data provides an accurate representation of traffic levels at the junction of Warrington Road and Holt Lane, and can be relied upon by the Council.

The Transport and Traffic Services comments allege that the Linsig results for the junction are based on over optimistic assumptions, yet Transport and Traffic Services make pessimistic assumptions of their own, for example that illegal parking will increase as a result of the proposed development, for which there is no evidence. They also imply that enforcement of short duration stops will be difficult as Knowsley Council does not control the A57, implying that Knowsley Council would be more likely to enforce such breaches than St Helens Council: has this been evidenced? Lastly, disruption by ambulances is a fact of life at the junction, and has no bearing on the proposed development.

The Transport and Traffic Services comments query what would happen if the proposed store subsequently changed to a different use within Use Class E. Class E exists because the government considers that the planning implications of different uses within Class E are similar enough to be grouped together, meaning the issue of future possible changes of use ought not to concern the Council. If, however, the Council considers this to be a significant issue, it can condition that the use be limited to a convenience store only.

The ANPR parking data for the pub is queried based on lockdown restrictions, although as noted above all meaningful restrictions were lifted on 17 May, and the data that has been analysed is for June 2021. The applicant therefore asserts that the ANPR data can be relied upon, and demonstrates that the proposed amount of parking for the public house will cater for identified demand. There is therefore no reason to suppose that overflow parking on surrounding streets will occur.

The quantum of parking proposed for the convenience store is fully evidence in the submitted Transport Statement through a parking accumulation assessment. The reality with convenience store parking – which Transport and Traffic Services do not dispute – is that customers park for such a short period of time there will always be spare capacity for customers. Transport and Traffic Services refer to staff parking, but staff would be encouraged to use other means of transport wherever possible.

The applicant has set out in detail how the management arrangements for the shared car park would work. Car park management regimes are a routine matter on modern retail sites, and any issues between the two site operators would be resolved between them as part of the management scheme. The concern raised regarding the use of ANPR cameras – again a mainstay of modern car park management regimes – is not understood.

Other matters

The only other outstanding issue relates to the updating of ecology surveys. The surveys have been completed and confirm that there are no ecological constraints on the site. The update ecology report is attached to this email, to be reconsulted on.

We look forward to hearing your thoughts regarding the information above. If there is any more information you require from us at this stage, please let me know.

Best Regards,
Neve Thomson
Assistant Planner
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From: Jeremy Heppell (CPC) <Jeremy@cpcplanningconsultants.co.uk>
Sent: 18 May 2022 08:30
To: Osborne, Lee <Lee.Osborne@knowsley.gov.uk>
Cc: Neve Thomson (CPC) <neve@cpcplanningconsultants.co.uk>
Subject: RE: External Mail: RE: 22/00060/FUL - The Holt Hotel, 285 Warrington Road, Whiston

Hi Lee, any chance we can get these consultations responses – or if not available yet, a timescale for when they will be?

Thank you

Jeremy Heppell
CPC Ltd.

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From: Jeremy Heppell (CPC)
Sent: 12 May 2022 10:19
To: 'Osborne, Lee' <Lee.Osborne@knowsley.gov.uk>
Cc: Neve Thomson (CPC) <neve@cpcplanningconsultants.co.uk>
Subject: RE: External Mail: RE: 22/00060/FUL - The Holt Hotel, 285 Warrington Road, Whiston

Dear Lee

Following our conversation last week, you were going to send though the environmental health and (when available) highways comments.

Can you send these to me please?

Kind regards

Jeremy Heppell
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From: Jeremy Heppell (CPC)

Sent: 29 April 2022 09:49

To: Osborne, Lee <Lee.Osborne@knowsley.gov.uk>

Cc: Neve Thomson (CPC) <neve@cpcplanningconsultants.co.uk>

Subject: RE: External Mail: RE: 22/00060/FUL - The Holt Hotel, 285 Warrington Road, Whiston

Hello Lee

I tried calling you and understand that you are on leave currently.

Noting that the agreed Extension of Time expires today, can we get a further extension agreed, and can you revert to me next week with an update on progress please.

Kind regards

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From: Jeremy Heppell (CPC)

Sent: 07 April 2022 09:58

To: Osborne, Lee <Lee.Osborne@knowsley.gov.uk>

Cc: Neve Thomson (CPC) <neve@cpcplanningconsultants.co.uk>

Subject: RE: External Mail: RE: 22/00060/FUL - The Holt Hotel, 285 Warrington Road, Whiston

Hi Lee

Just wondering if you have heard back from highways or environmental health yet – or if you have any other updates for us?

Many thanks

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From: Jeremy Heppell (CPC)

Sent: 25 March 2022 11:58

To: Osborne, Lee <Lee.Osborne@knowsley.gov.uk>

Cc: Neve Thomson (CPC) <neve@cpcplanningconsultants.co.uk>

Subject: RE: External Mail: RE: 22/00060/FUL - The Holt Hotel, 285 Warrington Road, Whiston

Many thanks Lee, an Extension of Time to 29 April is agreed.

I would be grateful if you can keep me abreast of any consultation responses you receive.

Kind regards

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From: Osborne, Lee <Lee.Osborne@knowsley.gov.uk>

Sent: 25 March 2022 10:33

To: Jeremy Heppell (CPC) <Jeremy@cpcplanningconsultants.co.uk>

Subject: RE: External Mail: RE: 22/00060/FUL - The Holt Hotel, 285 Warrington Road, Whiston

Hello Jeremy

I am awaiting the Highways response. I would suggest an extension initially to end of April i.e. Friday 29 April, please confirm by return email.

Kind Regards

Lee Osborne
Senior Planner
Planning

Telephone: 0151 443 2395

Knowsley Council, Nutgrove Building - Second Floor, Westmorland Road, Huyton, Knowsley, L36 9FB

From: Jeremy Heppell (CPC) <Jeremy@cpcplanningconsultants.co.uk>
Sent: 25 March 2022 09:25
To: Osborne, Lee <Lee.Osborne@knowsley.gov.uk>
Cc: Neve Thomson (CPC) <neve@cpcplanningconsultants.co.uk>
Subject: RE: External Mail: RE: 22/00060/FUL - The Holt Hotel, 285 Warrington Road, Whiston

Thanks Lee

Given that there have been no consultation responses to date – unless you are aware of any? – we would logically need an extension of time to allow receipt of these responses and for us to comment on them as appropriate, and for you to then report the application to Committee.

How long do you anticipate that this process might take? – we can then agree an appropriate Extension of Time based on your projected timescales.

Kind regards

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From: Osborne, Lee <Lee.Osborne@knowsley.gov.uk>
Sent: 24 March 2022 16:22
To: Jeremy Heppell (CPC) <Jeremy@cpcplanningconsultants.co.uk>
Subject: RE: External Mail: RE: 22/00060/FUL - The Holt Hotel, 285 Warrington Road, Whiston

Hello Jeremy

Yes that is agreeable, to what date are you proposing?

Kind Regards

Lee Osborne
Senior Planner
Planning

Telephone: 0151 443 2395

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From: Jeremy Heppell (CPC) <Jeremy@cpcplanningconsultants.co.uk>

Sent: 23 March 2022 12:58

To: Osborne, Lee <Lee.Osborne@knowsley.gov.uk>

Cc: Kilroe, Alan <Alan.Kilroe@knowsley.gov.uk>; Morley, Anthony <Anthony.Morley@knowsley.gov.uk>; Neve Thomson (CPC) <neve@cpcplanningconsultants.co.uk>

Subject: External Mail: RE: 22/00060/FUL - The Holt Hotel, 285 Warrington Road, Whiston

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Dear Lee

Can we agree an Extension of Time please, to allow more time for this complex application to be fully assessed.

Thank you

Jeremy Heppell
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From: Jeremy Heppell (CPC)

Sent: 10 March 2022 10:39

To: Osborne, Lee <Lee.Osborne@knowsley.gov.uk>

Cc: Kilroe, Alan <Alan.Kilroe@knowsley.gov.uk>; Morley, Anthony <Anthony.Morley@knowsley.gov.uk>; Neve Thomson (CPC) <neve@cpcplanningconsultants.co.uk>

Subject: RE: 22/00060/FUL - The Holt Hotel, 285 Warrington Road, Whiston

Hi Lee

Good to hear from you. I'm just checking that you received the earlier email from my colleague Neve introducing the scheme (attached for reference).

In answer to your query, I can confirm that a Retail Statement (incorporating a sequential assessment) was included in our submission pack to the Council. I've have attached it to this email for reference.

I have reviewed the proposed treatment of the eastern and northern boundaries in light of your email.

- We're not proposing a wall on the eastern boundary adjacent to the disabled space as this would interfere with visibility splays, and in our view the site will benefit visually from having an open boundary. We have therefore removed the black line from the Proposed Site Layout, to clarify this.
- On the northern boundary, we're not proposing any boundary treatment adjacent to the gable wall of 1A as it would serve no purpose, but we are proposing an acoustic fence adjacent to all the adjoining rear gardens. The Proposed Site Plan has been amended to show the acoustic fence in red, with a short missing section of the acoustic fence added to the plan.

The timing of the traffic surveys was agreed with the Network Management team at St Helens Council, as per the attached email. As Stage 3 of the government's roadmap out of lockdown was implemented on 17 May 2021, the traffic surveys provide an accurate representation of traffic levels at the junction.

I feel it would be helpful to set a Teams call to discuss the proposals, once the consultation period has finished. Perhaps you could suggest a suitable date and time?

Kind regards

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From: Osborne, Lee <Lee.Osborne@knowsley.gov.uk>

Sent: 04 March 2022 15:03

To: Jeremy Heppell (CPC) <Jeremy@cpcplanningconsultants.co.uk>

Cc: Kilroe, Alan <Alan.Kilroe@knowsley.gov.uk>; Morley, Anthony <Anthony.Morley@knowsley.gov.uk>

Subject: 22/00060/FUL - The Holt Hotel, 285 Warrington Road, Whiston

Importance: High

Hello Jeremy

I am the case officer with regard the above application. With regard the application a sequential assessment does not appear to have been submitted. Please submit the required sequential assessment as soon as possible in order that it can be taken into consideration.

I also need clarity on two details within the 1:200 site plan that are not shown on the key, or elsewhere on the drawing. The details that I require, and are required for public view, is what is happening with regard the boundary between the car park space closest to Holt Lane and the telegraph pole, running from the access up to the front boundary of 1A Holt lane adjacent the application site. Secondly, detail is required of what is happening between the rear of the car park spaces along the north eastern boundary of the site and the gable of 1A Holt Lane together with the side boundary of the rear garden of that property.

I also note that the traffic survey in the TA was undertaken in May 2021. There were still restrictions in place at that time due to Covid albeit not to the extent of the 2020 restrictions. As such the traffic survey would not give a full and true picture of traffic use/flow of Holt Lane and the traffic light junction and therefore the impacts on the road and junction.

Kind Regards

Lee

Lee Osborne
Senior Planner
Planning

Telephone: 0151 443 2395

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The Holt Hotel, 285 Warrington Road, Rainhill, Prescot, Merseyside, L35 8LA

Bat Emergence Survey Report

July 2022

Hampshire Ecological Services Ltd
Consultant Ecologists

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W: www.hantsecology.co.uk

T: 0771 456 8361

Bat Emergence Survey Report**The Holt Hotel, 285 Warrington Road, Rainhill, Prescot, Merseyside, L35 8LA****for****Punch Partnerships (PML) Ltd**

Reference: The Holt Hotel, Rainhill	
Revision	Issue date:
0	25/07/22
1 (Minor amendment)	26/07/22

Prepared by:		Rev 0	Rev1
 CHLOE MOCKRIDGE Ecologist	 HANNAH YATES Ecologist	21/07/22	-
First review & Technical QA by:			
 VICTORIA RUSSELL Principal Ecologist		22/07/22	26/07/22
Second review & Technical QA by:			
 JOHN POLAND Principal Ecologist		25/07/22	-

This report represents sound industry practice; reports and recommends correctly, truthfully and objectively; is appropriate given the local site conditions, scope of works proposed and resources allocated to us by the client; and avoids invalid, biased, and exaggerated statements.

The author disclaims any responsibility to the client and others in respect of any matters outside the scope of the above. This report is confidential to the client and the author accepts no responsibility of whatsoever nature to third parties to whom this report, or any part thereof, is made known. Any such party relies on the report at their own risk.

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1. This report provides details from a bat survey carried out by Hampshire Ecological Services Ltd for Punch Partnerships (PML) Ltd in connection with a proposal to build a new convenience store at The Holt Hotel, 285 Warrington Road, Rainhill, Prescot, Merseyside L35 8LA (approximate Ordnance Survey Grid Reference SJ482918). The site consists of a public house with an outbuilding, carpark and beer garden. The location of the site is shown in *Figures 1 and 2* and a plan of the site is shown in *Figure 3* (see *Section 6*).
2. An ecological appraisal of the site was carried out by WYG Environmental Planning Transport Ltd in 2020 (WYG Environmental Planning Transport Ltd, 2020a). This found the public house and outbuilding to have moderate bat roost suitability. One dusk and one dawn surveys were recommended on each of the buildings. WYG then undertook the further surveys in May & June 2020, during which no bats emerged from the buildings with little foraging or commuting activity on site (WYG Environmental Planning Transport Ltd, 2020b). Due to the timelapse from the 2020 surveys, Hampshire Ecological Services were subsequently commissioned to complete a single update dusk bat emergence survey on the 22nd June 2022.
3. The ornamental planting and scattered scrub provides limited bat foraging habitat in the immediate vicinity of the buildings. This connects to a broken network of lines of hedges, tree-lines and woodland strips through the neighbouring gardens and urban green spaces, which in turn connect the site to areas of high-quality foraging habitat in the wider landscape such as nearby woodland and waterways.
4. One dusk emergence survey was carried out. Details of the dates of the surveys, weather and personnel carrying out the surveys is given in *Sections 3.1 and 3.2*.
5. No bats were seen emerging or re-entering the buildings during the dusk emergence survey on the 22nd June 2022. The full data from the survey is given in *Appendix C* and a plan showing the foraging and commuting bats (observations only) is given in *Figure 4* in *Section 6*.
6. Common pipistrelles were observed flying in the vicinity of the buildings and foraging on the site, indicating the weather was suitable for bat activity.
7. As no bats or evidence of bats was found during the initial survey and no bats were recorded emerging from the buildings in either 2020 or 2022, the works can proceed without further survey or constraints regarding bats (subject to any planning constraints).
8. Changes in lighting can affect foraging and commuting bats. Therefore, no works should take place in the hours of darkness or under artificial lighting. In addition, no lighting should be directed onto planted vegetation (particularly the new hedges), and security lights should operate on a timer, to avoid any negative impact on bats. Ideally any lighting installed should avoid spillage of greater than 0.1 lux (typical moonlight/ cloudy sky) onto any planted vegetation.

However, it is in a highly lit area and as such this may not be possible due to existing light spill. If this is the case any new lighting should not increase the level currently experienced and, if at all possible, should reduce any light spill due to the type of lighting used and the use of protection such as hoods and cowls. The use of non-UV LED lighting (preferably using warm spectrum wavelengths) is strongly recommended to avoid the most deleterious impacts of lighting on biodiversity and bats in particular.

9. It is a requirement under national planning policy to provide ecological enhancements to sites requiring planning permission in order to provide a net gain in biodiversity. Therefore, the following outline enhancements are proposed:
 - New hedges will be planted with the species listed in *Section 5.6.4* and undersown with Emorsgate seed mix EH1 Hedgerow mixture (or equivalent);
 - Areas of amenity grassland (lawns) will be sown with a species-rich seed mix for lawns such as Emorsgate seed mix EL1 and EG1 (or equivalent). This will increase the plant diversity on site;
 - To enhance the ecological value of the site, the landscaping should incorporate a mixture of native and non-native species of value to wildlife. Examples of suitable plant species that could be planted to encourage wildlife include those in *Tables 5.6.4.1. and 5.6.4.2;*
 - The new building will be enhanced for bats using at least two integrated bat boxes (*e.g.* a Habibat™ Bat Box, an Ibstock Enclosed Bat Box, a Schwegler Bat Tube, or similar), which provides a cavity that is incorporated into the external build structure to offer roosting space for bats. Alternatively, if this is not viable (because of the construction methods), then two woodstone style bat boxes (*e.g.* Vivara Pro WoodStone Bat Box, Beaumaris Woodstone or similar) will be erected on an undisturbed aspect of the building. These bat boxes will be erected as high as possible (ideally between 2.5m and 5m, facing south or south-east) with a clear exit path. These bat boxes will remain on site permanently (and shall be repaired or replaced as necessary);
 - Two or more swift boxes, such as Ibstock Eco-habitat or similar, will be incorporated or installed on the exterior of the new building; and
 - At least one insect box (brick, hotel or tower) will be installed. The box should be suitable for a range of invertebrates. The box will be positioned in a warm sunny spot, preferably on a south-facing wall, close to vegetation but with no vegetation in front of the holes. The boxes suggested in *Table 5.6.6.1* (especially the BeePot planter) have been chosen so that they form an attractive feature as part of the landscaping.
10. This survey data is valid for a maximum of 12 months. Bats frequently move around and adopt new roosting sites, therefore if more than 12 months elapse it may be advisable to conduct further survey work to obtain up-to-date information, thereby ensuring protected species compliance.

INTRODUCTION

2.1 General

This report provides information from a bat survey carried out by Hampshire Ecological Services Ltd for Punch Partnerships (PML) Ltd in connection with a proposal to build a new convenience store at The Holt Hotel, 285 Warrington Road, Rainhill, Prescot, Merseyside L35 8LA (approximate Ordnance Survey Grid Reference SJ482918). The location of the site is shown in *Figures 1* and *2* in *Section 6*.

An ecological appraisal of the site was carried out by WYG Environmental Planning Transport Ltd in 2020 (WYG Environmental Planning Transport Ltd, 2020a). This found the public house and outbuilding to have moderate bat roost suitability. One dusk and one dawn surveys were recommended on each of the buildings. WYG then undertook the further surveys in May & June 2020, during which no bats emerged from the buildings with little foraging or commuting activity on site (WYG Environmental Planning Transport Ltd, 2020b). Due to the timelapse from the 2020 surveys, Hampshire Ecological Services were subsequently commissioned to complete a single updated bat survey (a dusk emergence survey).

2.2 Site description

The site consists of a public house with an outbuilding, carpark and beer garden. The buildings surveyed are shown on the plan in *Figure 3* in *Section 6*.

The site lies on the north side of Warrington Road, in the centre of Prescot. The immediate surroundings consist of residential housing. In the wider landscape Prescot extends in all directions joining the urban sprawl to the east and west which join Manchester to the east and Liverpool to the west. Just beyond Prescot to the north is Knowsley Safari Park leading to arable fields and grassland in the wider landscape, and to the south is a mosaic of rural housing, arable fields, grassland, woodland and waterways.

2.3 Proposed activities

This survey was carried out in connection with a proposal to carry out the following works:

- build a new convenience store on the carpark;
- demolish the outbuilding; and
- re-arrange the remaining carpark and beer garden.

2.4 Current planning status

Planning permission is being applied for at this site.

2.5 ***Objectives of the survey and report***

The survey by Hampshire Ecological Services Ltd one dusk emergence survey of the buildings. The aim was to identify if bats were present or likely to use the site for roosting.

The survey and the report writing were carried out in accordance with *Bat Surveys for Professional Ecologists: Good Practice Guidelines, 3rd edition* (Collins, 2016). Any deviations from the guidelines are justified in the relevant sections.

Additionally, all ecological surveys should be completed in line with Natural England's *Standing Advice for Local Authorities*

(<http://www.naturalengland.org.uk/ourwork/planningdevelopment/spatialplanning/standingadvice/advice.aspx>), which states:

- Natural England will not comment on applications that are submitted without the relevant protected species surveys if there are no other issues (i.e. in relation to SSSIs or landscape).
- Natural England will not comment on scoping surveys that recommend further surveys where these have not been undertaken and submitted with the scoping reports.

2.6 ***Structure of this report***

This report is structured as follows:

- *Section 1* contains the executive summary;
- *Section 2* contains an introduction;
- *Section 3* describes the survey methods;
- *Section 4* describes the results;
- *Section 5* evaluates the findings;
- *Section 6* contains the figures including:
 - *Figure 1* gives aerial photographs showing the site location;
 - *Figure 2* gives an Ordnance Survey map showing the location of the site;
 - *Figure 3* gives a site plan; and
 - *Figure 4* illustrates the bat activity recorded during the dusk emergence survey.
- *Section 7* lists the references;
- *Appendix A* gives information on relevant legislation;
- *Appendix B* gives information on bat ecology;
- *Appendix C* gives the data from the dusk emergence survey; and
- *Appendix D* lists the proposed seed mixes.

METHODS**3.1 Date, times and weather**

One dusk emergence survey was carried out on both buildings on the 22nd June 2022. The survey commenced at 21:26 (Sunset 21:46) and finished at 23:20. Weather conditions during the survey were 19 °C at the start and 17 °C at the end with clear skies and a light air (Beaufort scale 1).

The emergence survey commenced at least fifteen minutes before sunset and continued for at least an hour and a half after sunset (long after bats would have exited). The weather was suitable for bat emergence and foraging during all the surveys.

3.2 Personnel

The requirement for an update survey was assessed by John Poland CEnv MCIEEM CBiol MSB with the phase 2 survey led by Harold Green (Natural England Class 2 bat survey licence reference CLS-03290) assisted by the following surveyors Mr B. Richards MBiolSci, Miss K. Judson BSc (Hons.), Ms H. Taylor-Boyd, Mr D. Boyd, Ms E. Thomas, Mr H. Mulligan MBiolSci and Mr M. Smith. All surveyors are experienced in carrying out bat surveys using detectors.

This report was reviewed by John Poland CEnv MCIEEM CBiol MSB, who is a full member of the Chartered Institute of Ecology and Environmental Management (CIEEM), a Chartered Environmentalist (CEnv), a Chartered Biologist (CBiol) and multi-species licence holder with 20 years of experience in ecological consultancy and Victoria Russell MCIEEM who is a full member of the CIEEM and multi-species licence holder with over 23 years of experience in ecological consultancy.

All staff adhere to the Chartered Institute of Ecology and Environmental Management's (CIEEM) *Code of Professional Conduct*.

3.3 Dusk emergence survey

The dusk emergence survey followed standard survey protocol in *Bat Surveys – Good Practice Guidelines, 3rd edition* (Collins, 2016).

The dusk emergence surveys commenced at least fifteen minutes before sunset and continued for at least an hour and a half after sunset.

The surveyors were located with good views of the potential bat access points identified during the initial site visit. The timing of the visits, from early evening until after dark, was aimed at detecting active bats in the vicinity. When it was too dark for visual observation, electronic bat detectors were used to listen for the ultrasonic sounds produced by bats either flying in the vicinity or emerging from the building.

The surveyors recorded all bat activity encountered, but particular attention was focused on any bats emerging or re-entering. The results were documented by noting the time, bat species and behaviour (*e.g.* commuting, foraging, social interaction *etc.*). The surveyors were in constant contact via hand-held radios so that information could be easily exchanged regarding bat activity. The time between all surveyors' devices was synchronised so time data was recorded precisely.

Bat detectors are used so that surveyors can identify most bat species in the field, using the heterodyne output in combination with bat shape, flight pattern and behaviour. Surveyors were equipped with Echo Meter Touch™ detectors for real-time analysis and BatBox Duet™ detectors connected to solid-state recorders (Edirol Roland-05) to record bat calls for later sonogram analysis using BatSound™ computer software (should it be required). Frequency-division, whereby the ultrasound is divided by 10 into an audible range, has a considerable advantage over time-expansion for survey work as it allows recordings to be taken in real time. This ensures that all bat activity is recorded.

Queried recordings were later replayed and analysed through BatSound™ software to ensure that any activity accidentally missed during the survey was recorded and times and location calculated. The species of bat was confirmed at this stage where possible. Bat detector surveys provide one of the most effective methods of identifying bat species and activity patterns. However, it is not always possible to identify bats down to species level, even with subsequent sound analysis.

4.1 *Dusk emergence survey*

No bats were observed emerging from or re-entering either of the buildings.

Common pipistrelles were recorded flying in the vicinity of the buildings and on the site indicating the weather was suitable for bat activity. The full data from the dusk emergence survey is given in *Appendix C* and a plan illustrating the bat activity (observations only) during the survey is given in *Figure 4* in *Section 6*.

4.2 *Commuting and foraging habitat*

The ornamental planting and scattered scrub provides limited bat foraging habitat in the immediate vicinity of the buildings. This connects to a broken network of lines of hedges, tree-lines and woodland strips through the neighbouring gardens and urban green spaces, which in turn connect the site to areas of high-quality foraging habitat in the wider landscape such as nearby woodland and waterways.

Bats follow linear landscape features such as lines of trees, hedges, buildings and waterways in order to commute from their roost sites to their feeding grounds. Likewise they use these features to navigate between feeding areas and alternative roosts.

5 ***INTERPRETATION AND EVALUATION***

5.1 ***Constraints***

5.1.1 *Constraints on survey data*

The survey was carried out at a suitable time of year in suitable weather conditions. No constraints are considered to have occurred.

5.1.2 *Constraints on the mitigation, compensation and enhancement measures*

There is a limit to the amount of enhancement measures that are possible (and reasonable) on such a small site in a built-up area. In addition, there are no trees on site that would be suitable for bird and/or bat boxes to be attached.

As the buildings have been surveyed and had no bats emerging and/ or re-entering them, no mitigation or compensation measures are needed.

5.2 ***Potential impacts of the proposed development on bat roosts***

5.2.1 *Commuting and foraging bats*

The ornamental planting and scattered scrub provides limited bat foraging habitat in the immediate vicinity of the buildings. This connects to a broken network of lines of hedges, tree-lines and woodland strips through the neighbouring gardens and urban green spaces, which in turn connect the site to areas of high-quality foraging habitat in the wider landscape such as nearby woodland and waterways. Woodland and waterways provide high-quality foraging habitat for a number of different species of bat. The connectivity around the edges of the site (the shrubs) will be retained or enhanced and as such no impact to commuting and foraging bats (and hence bat populations in the local area) is anticipated.

Changes in lighting can affect foraging and roosting bats. Therefore, no works should take place in the hours of darkness or under artificial lighting. In addition, no lighting should be directed onto retained vegetation, and security lights should operate on a timer, to avoid any negative impact on bats.

Any lighting installed should avoid spillage of greater than 0.1 lux (typical moonlight/ cloudy sky) onto any retained vegetation. However, it is in a highly lit area and as such this may not be possible due to existing light spill. If this is the case any new lighting should not increase the level currently experienced and, if at all possible, should reduce any light spill due to the type of lighting used and the use of protection such as hoods and cowls.

The use of non-UV LED lighting (preferably using warm spectrum wavelengths) is strongly recommended to avoid the most deleterious impacts of lighting on biodiversity and bats in particular.

5.2.2 *Building*

No bats or evidence of bats was found during the initial survey and no bats were recorded emerging from the buildings during the 2020 surveys by WYG Environmental Planning Transport Ltd in 2020 (WYG Environmental Planning Transport Ltd, 2020a & b). In addition, no bats were recorded emerging from the buildings in 2022. Therefore, the proposed works can continue without further survey or constraints regarding bats (subject to any planning constraints).

Enhancement measures will be required to be incorporated into the building and/ or wider site to comply with national and local planning policy that requires a net gain in biodiversity. The proposed enhancement measures are given in *Section 5.6*.

5.3 *Alternative roosting potential*

There are buildings nearby that could provide alternative roosting for bats (see *Figure 1* in *Section 6*).

5.4 *Survey report expiry*

This survey data is valid for a maximum of 12 months. Bats frequently move around and adopt new roosting sites, therefore if more than 12 months elapse it may be advisable to conduct further survey work to obtain up-to-date information to advise work, thereby ensuring protected species compliance.

Given the mobility of bats, it is recommended that a walkover of the site to update the survey information is undertaken prior to the development commencing if this does not occur before the end of July 2023.

5.5 *Further survey*

No further surveys are proposed.

5.6 *Outline mitigation, compensation and enhancement measures*

5.6.1 *General*

From the 20th July 2021, the Government published the revised National Planning Policy Framework (Ministry of Housing, Communities and Local Government, 2021). The document sets out the government's planning policies for England and how these are expected to be applied. This replaces a previous version which was published in February 2019. It states: "*at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).*"

It also states "*opportunities to incorporate biodiversity in and around developments should be encouraged*" as part of the consideration for "*presumption in favour of sustainable development*".

The updated National Planning Policy Framework (NPPF) also states (paragraph 170) that:

“Planning Policies and decisions should contribute to and enhance the natural and local environment by... minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.”

The updated Planning Policy Guidance (PPG) for the Natural Environment, updated in July 2019 states (paragraph 020) that:

“Net gain in planning describes an approach to development that leaves the natural environment in a measurably better state than it was beforehand.”

The updated PPG provides examples of how biodiversity net gain can be achieved. Measures suggested include “creating new habitats” and “enhancing existing habitats”.

It is proposed that the enhancements to provide biodiversity net gain will also be in the form of the following:

- sensitive lighting (for bats and other wildlife);
- new bat roost provision;
- planting to enhance the site for bats (and other wildlife);
- new bird nesting provision; and
- insect boxes.

These enhancements are detailed in the following sections.

All proposed enhancement measures are subject to supplied plans.

5.6.2 Lighting

Changes in lighting can affect foraging and roosting bats. Therefore, no works should take place in the hours of darkness or under artificial lighting. In addition, no lighting should be directed onto new roost exit points (see *Section 5.6.3*) and retained or planted vegetation and any lighting installed should avoid spillage of greater than 0.1 lux (typical moonlight/ cloudy sky) near to or directly onto the new roost entrances and vegetation so that light disturbance is not a problem. However, it is in a highly lit area and as such this may not be possible due to existing light spill. If this is the case any new lighting should not increase the level currently experienced and, if at all possible, should reduce any light spill due to the type of lighting used and the use of protection such as hoods and cowls. This is because lighting can impact bat populations directly by disturbing roosts and reducing their foraging area, or indirectly by severing commuting routes from roosts. Therefore, the following (modified from *Bats and lighting in the UK* (ILP 2018)) should be undertaken:

- **Aim of light** The light should be aimed to illuminate only the immediate area required by using as sharp a downward angle as possible. This lit area must avoid being directed at, or close to, any retained vegetation. A shield or hood can be used to control or restrict the area to be lit. Avoid illuminating at a wider angle as this will be more disturbing to foraging and commuting bats, as well as people and other wildlife.

For any security lighting, the following should also apply:

- **Power** It is rarely necessary to use a lamp of greater than 2000 lumens (150W) in security lights. The use of a higher power is not as effective for the intended function and will be more disturbing for bats.
- **Movement sensors** Many security lights are fitted with movement sensors which, if well installed and aimed, will reduce the amount of time a light is on each night. This is more easily achieved in a system where the light unit and the movement sensor are able to be separately aimed.
- **Timers** If the light is fitted with a timer this should be adjusted to the minimum to reduce the amount of 'lit time'.
- **Alternatives** The requirement for security lighting in each instance should be carefully considered and only used where absolutely necessary to deter crime.

The use of non-UV LED lighting (preferably using warm spectrum wavelengths) is strongly recommended to avoid the most deleterious impacts of lighting on biodiversity and bats in particular.

5.6.3 *New bat roost locations*

The new building will be enhanced for bats using at least two integrated bat boxes (*e.g.* a Habibat™ Bat Box, an Ibstock Enclosed Bat Box, a Schwegler Bat Tube, or similar), which provides a cavity that is incorporated into the external build structure to offer roosting space for bats. Alternatively, if this is not viable (because of the construction methods), then two woodstone style bat boxes (*e.g.* Vivara Pro WoodStone Bat Box, Beaumaris Woodstone or similar) will be erected on an undisturbed aspect of the building. These bat boxes will be erected as high as possible (ideally between 2.5m and 5m, facing south or south-east) with a clear exit path. These bat boxes will remain on site permanently (and shall be repaired or replaced as necessary).

5.6.4 *Planting*

New hedges will be planted around the edges of the site. These will consist of a mixture of native species such as *Acer campestre* (Field Maple), *Carpinus betulus* (Hornbeam), *Cornus sanguinea* (Dogwood), *Corylus avellana* (Hazel), *Crataegus monogyna* (Hawthorn), *Fagus sylvatica* (Beech), *Fraxinus excelsior* (Ash), *Prunus spinosa* (Blackthorn), *Quercus robur* (Pedunculate Oak), *Viburnum lantana* (Wayfaring-tree) and *Viburnum opulus* (Guelder-rose). These species will provide a mixture of leaf shapes and colours through the seasons. In addition, the hedges will contain *Ilex aquifolium* (Holly) and *Taxus baccata* (Yew) to provide an evergreen component for the winter months, and to provide a contrast to the colours of the other plants during the spring, summer and autumn.

All new hedges will be under-sown with Emorsgate seed mix EH1 Hedgerow mixture (or equivalent). This will provide cover for wildlife such as hedgehogs as well as providing an attractive feature while the new hedges become established.

Areas of amenity grassland (verges and lawns) will be sown with a species-rich seed mix for lawns such as Emorsgate seed mix EL1 and EG1 (or equivalent). This will increase the plant diversity on site.

The seed mix EL1 will be sown mainly around the edges of lawns and on verges, where it can be mown less frequently without interfering with the amenity value of the grassland. The seed mix EG1, as a purely grass mix, will be sown in the centre of the grassland.

Details of the species present in the proposed seed mixes are given in *Appendix D*.

Plants that attract insects are generally helpful and trees, shrubs and flowering plants can provide cover for wildlife. Therefore, to enhance the ecological value of the site, the landscaping should incorporate a mixture of native and non-native species of value to wildlife. This mixture will be planted to encourage a diversity of insects, which in turn will attract different species. Flowers that bloom throughout the year, including both annuals and herbaceous perennials, are beneficial. Night-flowering blossoms attract night-flying insects, which in turn provide prey for bats. Examples of suitable plant species that could be planted to encourage wildlife include those in *Tables 5.6.4.1.* and *5.6.4.2.* Approximate flowering periods are listed in the tables.

Table 5.6.4.1. Native and non-native species that could be incorporated into the landscaping.

Species	Common Name	Approximate flowering period
<i>Achillea millefolium</i>	Yarrow	Early summer
<i>Aubretia</i> species	Aubretia	Spring to early summer
<i>Berberis darwinii</i>	Darwin's Barberry	Spring
<i>Iberis sempervirens</i>	Candytuft	Summer to autumn
<i>Centaurea montana</i>	Cornflower	Spring to summer
<i>Centaurea scabiosa</i>	Knapweed	Summer to autumn
<i>Centranthus ruber</i>	Red valerian	Summer to autumn
<i>Cornus sanguinea</i>	Dogwood	Summer
<i>Dianthus barbatus</i>	Sweet William	Summer
<i>Echinacea</i> species	Echinacea	Summer to autumn
<i>Erysimum</i> species	Wallflowers	Spring to early summer
<i>Glebionis segetum</i>	Corn marigold	Spring to summer
<i>Hebe</i> species	Hebes	Summer to autumn
<i>Hedera helix</i>	Ivy	Autumn
<i>Hesperis matronalis</i>	Dame's-violet	Spring to summer
<i>Hyacinthoides non-scripta</i>	English Bluebell	Spring
<i>Hylotelephium spectabile</i>	Ice plant 'Pink lady'	Early autumn
<i>Hypericum</i> species	St John's wort	Spring
<i>Ilex aquifolium</i>	Holly	Spring to summer
<i>Jasminum officinale</i>	Common White Jasmine	Summer to autumn
<i>Lavandula angustifolia</i>	Garden Lavender	Summer
<i>Leucanthemum vulgare</i>	Ox-eye daisy	Summer
<i>Limnanthes douglasii</i>	Poached egg plant	Summer
<i>Lonicera caprifolium</i>	Perfoliate Honeysuckle	Summer
<i>Lonicera etrusca</i>	Italian Honeysuckle	Summer to autumn
<i>Lonicera japonica</i>	Japanese Honeysuckle	Spring

<i>Lonicera periclymenum</i>	Honeysuckle	Summer to autumn
<i>Lunaria annua</i>	Honesty	Spring
<i>Malus domestica</i>	Apple	Spring
<i>Malus sylvestris</i>	Crab Apple	Spring
<i>Malva species</i>	Mallow	Summer to autumn
<i>Matthiola longipetala</i>	Night-scented stock	Summer
<i>Myosotis sylvatica</i>	Wood forget-me-not	Spring
<i>Nicotiana species</i>	Tobacco plant	Summer
<i>Oenothera species</i>	Evening primroses	Summer to autumn
<i>Papaver rhoeas</i>	Corn poppy	Summer
<i>Phacelia species</i>	Phacelia	Summer to autumn
<i>Primula vulgaris</i>	Primrose	Spring
<i>Rosa species</i>	Rose	Summer
<i>Rubus fruticosus</i> agg.	Bramble	Spring to summer
<i>Saponaria officinalis</i>	Soapwort	Summer
<i>Saxifraga fortunei</i>	Cherry pie	Summer to autumn
<i>Scabiosa species</i>	Scabious	Summer
<i>Silene dioica</i>	Red campion	Spring
<i>Silene noctiflora</i>	Night-scented Catchfly	Summer to autumn
<i>Silene vulgaris</i>	Bladder Campion	Summer
<i>Verbena species</i>	Vervain	Summer to autumn
<i>Viburnum lantana</i>	Wayfaring-tree	Spring to summer
<i>Viburnum opulus</i>	Guelder-rose	Summer

Table 5.6.4.2. Examples of suitable garden herbs that could be planted in and around the site to encourage wildlife.

Species	Common Name	Approximate flowering period
<i>Angelica species</i>	Angelica	Summer to autumn
<i>Borago officinalis</i>	Borage	Spring to early autumn
<i>Calendula officinalis</i>	English marigolds	Summer to autumn
<i>Foeniculum vulgare</i>	Fennel	Summer to early autumn
<i>Hesperis matronalis</i>	Dame's-violet, often sold as Sweet Rocket	Spring to summer
<i>Hyssopus officinalis</i>	Hyssop	Summer to early autumn
<i>Matthiola bicornis</i>	Night-scented Stock	Spring to autumn
<i>Melissa officinalis</i>	Lemon balm	Summer
<i>Monarda species</i>	Bergamot	Summer to early autumn
<i>Nicotiana species</i>	Tobacco-plant	Spring to autumn
<i>Oenothera species</i>	Evening-primroses	Summer
<i>Origanum vulgare</i>	Marjoram	Summer
<i>Rosmarinus officinalis</i>	Rosemary	Spring

<i>Saponaria officinalis</i>	Soapwort	Summer to autumn
<i>Silene noctiflora</i>	Night-scented Catchfly	Summer to autumn
<i>Silene vulgaris</i>	Bladder Campion	Spring to summer
<i>Tanacetum parthenium</i>	Feverfew	Summer to early autumn
<i>Thymus</i> species	Thyme	Summer

5.6.5 *Birds*

The site will be enhanced for birds. Two swift boxes will be built into or attached to the walls of the new building to provide new nest sites. These should be positioned out of direct sunlight (below eaves on the north elevation), away from windows and in a straight line. They should be in an open area so that it is less accessible to predators and birds are not obstructed as they leave the nest.

5.6.6 *Insects*

At least one insect box (brick, hotel or tower) should be installed in the garden or incorporated into the new building. This should be in a sunny location close to vegetation. Bee-friendly and insect friendly plants should be located nearby so that the bees and insects using the boxes have food. Lavender, honeysuckle and buddleia are all pollinator-friendly plants. The boxes suggested in *Table 5.6.6.1* (especially the BeePot planter) have been chosen so that they form an attractive feature as part of the landscaping. Solitary bees are non-aggressive and as such are suitable for gardens with pets and children.

Table 5.6.6.1. Examples of insect boxes that could be erected on site.

Type	Species	No.	Height	Additional information
	Solitary bees	2	>1m from the ground	The Bee Brick should be positioned in a warm sunny spot, in a south-facing wall, with no vegetation in front of the holes
	Solitary bees	2	>1m from the ground	The BeePot should be positioned in a warm sunny spot, preferably on a south-facing wall, with no vegetation in front of the holes
	Butterflies, solitary bees, lacewings and ladybirds	2	>1m from the ground	The different sections of the Insect Tower have been designed to provide a habitat for a variety of insect species. Suitable for mounting on buildings, trees or fences.
	Solitary bees and a range of other insects	2	Between 0.75m and 1.5m above ground	The selected canes and the holes are the optimum size for solitary bees but other insects may overwinter in the nester.
	A wide range of insects	2	Between 0.75m and 1.5m above ground	Adding natural materials such as drilled canes, hollow stems or bark in the triangular spaces will encourage more insects to the hotel.
	A wide range of insects	2	>1m from the ground	Best placed near vegetation. Provides plenty of nooks and crannies for insects such as ladybirds, earwigs and lacewings.

5.7 ***Requirement for Habitats Regulations licence***

A bat European Protected Species (EPS) licence or Bat Mitigation Class Licence (formerly Bat Low Impact Class Licence, if qualifying) site registration from Natural England is not necessary before work commences on the outbuilding or public house. In the unlikely event that bats are found during the works, work will stop and a bat licence will be applied for. This permits activities that may otherwise be offences under the *Conservation of Habitats & Species Regulations 2017*, such as the destruction of roost sites.

Evidence is required from emergence/ re-entry surveys during the bat active season between May and September in order to gather enough information about bat populations (including species, numbers and status of roost sites) to support a bat licence application.

Survey data supporting licence applications must be up-to-date *i.e.* have been conducted within the current or most recent optimal survey season (May to September). Therefore, if surveys show bats are present and licensable work is delayed until, during or after the next survey season, updated survey(s) will be required to support an application.

Natural England takes a minimum of 30-60 working days to process licence applications following receipt of all the relevant documentation. This includes an application form, a Reasoned Statement and a Method Statement. This includes a detailed mitigation strategy to eliminate or reduce impacts on bats.

It is not possible to apply for a licence until full planning permission has been granted and any conditions relating to wildlife fulfilled, although Local Planning Authorities usually request the information prior to determining a planning application request. Additional time will be required where any revisions to a proposed mitigation strategy are necessary to obtain the licence.

Figure 1. Aerial photographs showing the location of the site.



Figure 2. An Ordnance Survey map showing the site location, as indicated by the red arrow.



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Figure 3. Plan of the site with the buildings surveyed highlighted in red.

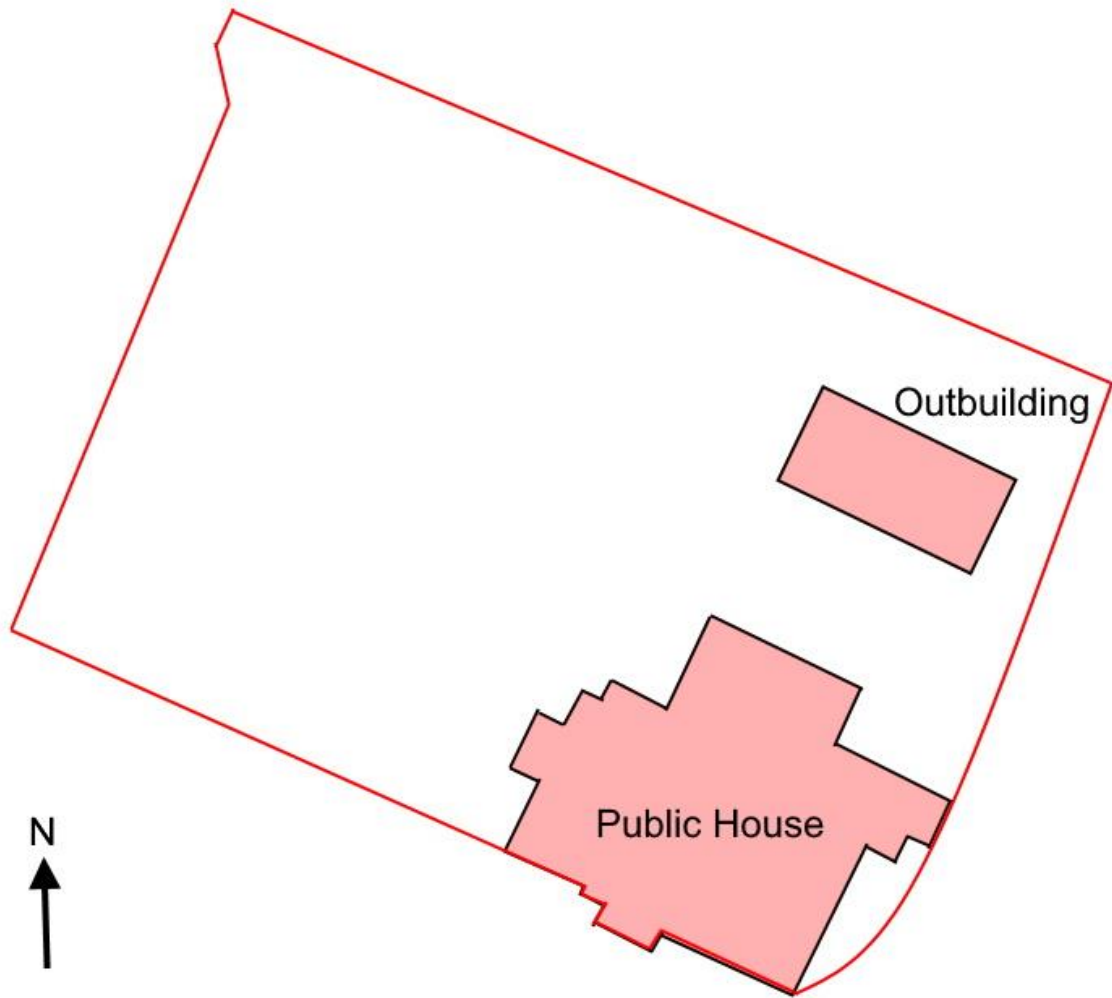
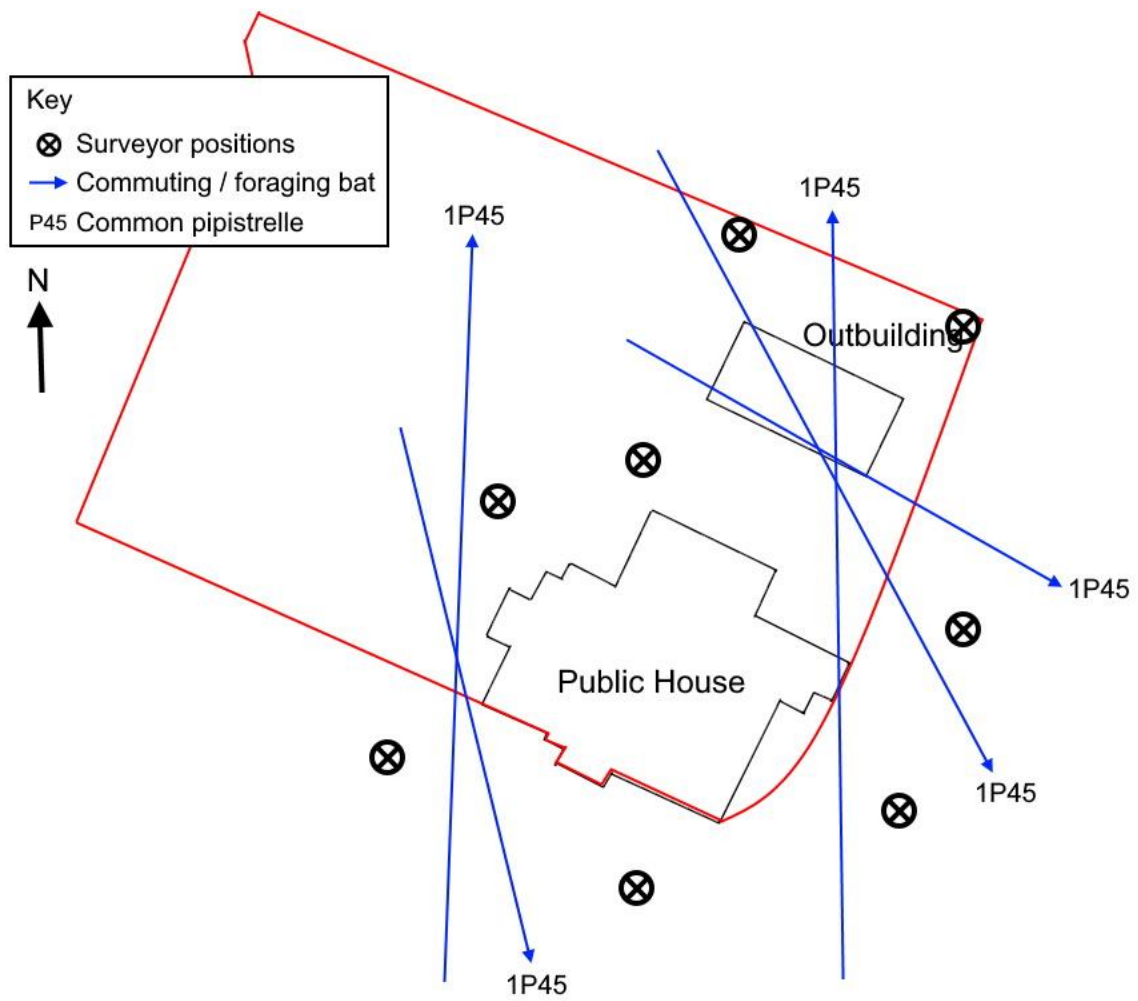


Figure 4. Plan showing bat activity (observations only) for the dusk emergence survey carried out on the 22nd June 2022. Arrows show direction of flight (where known).



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8.1 Legal context

All species of British bat are protected by the *Wildlife and Countryside Act 1981* (as amended) extended by the *Countryside and Rights of Way Act 2000*. This legislation makes it an offence to:

- intentionally kill, injure or take a bat;
- possess or control a bat;
- intentionally or recklessly damage, destroy or obstruct access to a bat roost; and
- intentionally or recklessly disturb a bat whilst it occupies a bat roost.

Bats are also European Protected Species listed on the *Conservation of Habitats & Species Regulations 2017*. This legislation makes it an offence to:

- deliberately capture, injure or kill a bat;
- deliberately disturb a bat (in such a way as to be likely to significantly affect: (i) the ability of a significant group of bats to survive, breed or rear/nurture their young; or (ii) the local distribution or abundance of the species concerned);
- damage or destroy a breeding site or resting place of a bat; and
- possess, control, transport, sell, exchange a bat, or offer a bat for sale or exchange.

All bat roosting sites receive legal protection even when bats are not present (bats tend to reuse the same roost).

Where it is necessary to carry out an action that could result in an offence under the *Conservation of Habitats & Species Regulations 2017* it is possible to apply for a European Protected Species (EPS) licence from Natural England. Licences are only issued where Natural England are satisfied that three derogation tests are met. These are: that the activity is for **imperative reasons of overriding public interest**; that there must be **no satisfactory alternative**; and that **favourable conservation status of the species must be maintained**.

Consideration of these three derogation tests was previously left to Natural England as part of their deliberations on whether to grant a licence for the development activity after a planning consent has been issued. However, the regulations now require that **all** public bodies, i.e. **Local Planning Authorities** (LPAs), have regard to the requirements of the European Habitats Directive when carrying out their functions. As a result, LPAs **must** address the three derogation tests when considering a planning application that could impact upon any European Protected Species (EPS).

8.2 *National planning context*

8.2.1 *General*

Surveys should be completed in line with Natural England's *Standing Advice for Local Authorities* (<http://www.naturalengland.org.uk/ourwork/planningdevelopment/spatialplanning/standingadvice/default.aspx>), which states:

- Natural England will not comment on applications that are submitted without the relevant protected species surveys if there are no other issues (*i.e.* in relation to SSSIs or landscape).
- Natural England will not comment on scoping surveys that recommend further surveys where these have not been undertaken and submitted with the scoping reports.

In addition to the above, *Section 40* of the *Natural Environment and Rural Communities Act (2006)* imposes a new duty on all public authorities to have regard for biodiversity.

8.2.2 *National Planning Policy Framework (NPPF)*

From the 20th July 2021, the Government published the revised National Planning Policy Framework. The document sets out the government's planning policies for England and how these are expected to be applied. This replaces a previous version which was published in June 2019. It states: "*at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).*"

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- an economic objective;
- a social objective; and
- an environmental objective.

The environmental objective is to "*contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy*".

Planning policies and decisions should contribute to and enhance the natural and local environment by "*protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)*" and "*minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*".

If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted.

Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

It states that *"development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity"*.

It should be noted that the *"presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site"*.

The NPPF also encourages *"minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures"* and aims to *"promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity"*. This applies to non-statutory designated sites including Sites of Importance for Nature Conservation (SINCs) and equivalent county wildlife sites.

Early engagement with all necessary stakeholders, including expert bodies, is encouraged by the NPPF.

Bats use different roosting sites throughout the year according to their life cycle requirements.

Hibernation during the winter months requires roosting sites that are cool and humid. As conditions improve through the spring, bats become increasingly active and tend to use transitional roosting sites. During the summer months, females give birth in maternity roosts. Maternity roosts tend to be warm and temperature-stable, which aids rapid development of the young, which are weaned in late summer. In the autumn, adult bats congregate in mating roosts and also use transitional roosting sites. Autumn is the time when both adults and juveniles have to build up fat reserves in preparation for hibernation through the winter months.

Bats also use roosts during the night as feeding perches. Species that catch large prey items such as moths (*e.g.* brown long-eared bat) often enter buildings to hang up and eat their prey before emerging again to forage. Such feeding perches tend to be obvious from scatterings of bat droppings with moth wings, which the bats discard.

Bats are at their most vulnerable during the summer in their maternity roosts, when disturbance can jeopardise their breeding success. Bats give birth to only one pup per year and young do not breed until the second or third year after birth. This means that if maternity colonies are disturbed there can be serious implications for the conservation status of populations.

Bats are also vulnerable during the winter hibernation period, when disturbance can reduce their chance of survival through the winter at a time when food is in short supply.

This is why there are often only narrow timeframes for bat survey and mitigation work.

APPENDIX C: DUSK EMERGENCE SURVEY DATA

Date	22/06/2022		
Temperature	19°C at start and 17°C at end		
Weather	Dry with clear skies and a light air (Beaufort scale 1)		
Ecologists	Mr. B. Richards, Miss. K. Judson, Ms. H. Taylor-Boyd, Mr. D. Boyd, Ms. E. Thomas, Mr. H. Mulligan, Mr. M. Smith, Mr. H. Green		
Time	Number	Species	Observation
21:26	-	-	Ecologists commenced observations
21:46	-	-	Sunset
22:10	1	Common pipistrelle	Commuting from south to north over eastern elevation of main building
22:10	1	Common pipistrelle	Commuting from north-west to east over outbuilding
22:23	1	Common pipistrelle	Commuting from north to south over carpark
22:32	1	Common pipistrelle	Commuting from south to north over carpark
22:40	1	Common pipistrelle	Commuting from north to east between main building and outbuilding
23:20	-	-	Ecologists ceased observations

APPENDIX D: SEED MIX COMPOSITION

EH1	
Species	Common Name
Wild Flowers	
<i>Alliaria petiolate</i>	Garlic Mustard
<i>Arctium minus</i>	Lesser Burdock
<i>Centaurea nigra</i>	Common Knapweed
<i>Chaerophyllum temulum</i>	Rough Chervil
<i>Galium album</i>	Hedge Bedstraw
<i>Geum urbanum</i>	Wood Avens
<i>Lathyrus sylvestris</i>	Narrow-leaved Everlasting-pea
<i>Leucanthemum vulgare</i>	Oxeye Daisy
<i>Primula veris</i>	Cowslip
<i>Prunella vulgaris</i>	Selfheal
<i>Saponaria officinalis</i>	Soapwort
<i>Silene dioica</i>	Red Campion
<i>Silene latifolia</i>	White Campion
<i>Silene vulgaris</i>	Bladder Campion
<i>Torilis japonica</i>	Upright Hedge-parsley
Grasses	
<i>Agrostis capillaris</i>	Common Bent
<i>Anthoxanthum odoratum</i>	Sweet Vernal-grass
<i>Brachypodium sylvaticum</i>	False Brome
<i>Cynosurus cristatus</i>	Crested Dogtail
<i>Deschampsia cespitosa</i>	Tufted Hair-grass
<i>Festuca rubra</i>	Slender-creeping Red-fescue
<i>Poa nemoralis</i>	Wood Meadow-grass
EL1	
Species	Common Name
Flowering Species	
<i>Galium verum</i>	Lady's Bedstraw
<i>Leontodon hispidus</i>	Rough Hawkbit
<i>Leucanthemum vulgare</i>	Oxeye Daisy
<i>Lotus corniculatus</i>	Birdsfoot Trefoil
<i>Primula veris</i>	Cowslip
<i>Prunella vulgaris</i>	Selfheal
<i>Ranunculus acris</i>	Meadow Buttercup
<i>Trifolium pratense</i>	Wild Red Clover
Grasses	
<i>Agrostis capillaris</i>	Common Bent

<i>Cynosurus cristatus</i>	Crested Dogtail
<i>Festuca rubra</i>	Slender-creeping Red-fescue
<i>Phleum bertolonii</i>	Smaller Cat's-tail
EG1	
Species	Common Name
<i>Agrostis capillaris</i>	Common Bent
<i>Cynosurus cristatus</i>	Crested Dogtail
<i>Festuca rubra</i>	Slender-creeping Red-fescue
<i>Phleum bertolonii</i>	Smaller Cat's-tail
<i>Poa pratensis</i>	Smooth-stalked Meadow-grass