Appeal number: APP/W1715/W/16/3150918
Application number: O/15/77009
Site Address: Land North of Boyatt Lane, Eastleigh, SO50 4LJ
Proposal: Outline application for construction of 2no 3 bed dwellings with associated carports and access (with appearance and landscaping reserved)

1.0 **Covering Letter from Pegasus Group**

1.1 The covering letter details the process of the application and the documents submitted by the appellant in relation to foraging bats. However within the original application no detailed survey information was provided within the ecological report. To try to resolve the issues I agreed to a precautionary condition to ensure the sensitive foraging corridors would be protected from impacts due to lighting, with lighting levels below 1 lux on the woodland edge and hedgerow habitat. This is perfectly acceptable and recognised practice and was unlikely to cause significant implications for the development proposed.

1.2 Due to the ability to mitigate lighting impacts by condition the protection of bat foraging habitat would not have been part of the reasons for refusal if the appellant had agreed to the condition suggested. However throughout the process, to the present time the appellant has refused to acknowledge the impacts of lighting on the bats using the site or discuss appropriate avoidance and mitigation measures.

2.0 Bat survey (September 2016)

2.1 Within my original response I expressed concerns regarding the lack of survey for foraging bats and advised that ideally surveys should follow best practice standards contained with the Bat Conservation Trust (BCT) Bat Survey Good Practice Guidance 2nd Edition for a small site with good habitat quality, Table 7.2 page 45, At the time these guidelines were the most up to date available.

2.2 The appellant is right that further guidance has been published within the BCT Bat Surveys for Professional Ecologists Good Practice Guidelines 3rd edition. In relation to frequency the survey states that the 3rd edition best practice guidance *does not specifically apportion survey effort by size of site, but states that the survey design should consider the scale of likely impacts in order to be proportionate.* This statement is misleading as although the size of site has been removed for the guidelines Table 8.3, page 54 of the 3rd edition, does provide guidelines as to the number of surveys in relation to habitat suitability. As this site is within a complex of woodland with ancient woodland or woodland on three sides and connecting hedgerow on the fourth it would likely be assessed as high habitat quality and so should be surveyed twice monthly from April to October. Even if the site was of moderate suitability it would likely require one bat survey per month from April to October. Only if the site was of low habitat suitability would only one survey per season, spring summer and autumn be required. As the survey frequency undertaken, 1 survey per season, only equates to best practice standards for low habitat suitability, e.g. a site with no or few connections to woodland or hedgerow habitat, the survey effort does not conform to either the 2nd or 3rd edition criteria.

2.3 However throughout the process I have agreed that due to the small size of the site I would agree to a condition for a lighting strategy to ensure no impact to woodland edge habitat or flight lines. Although numbers were low the species mix included serotine which is less common than the other bats recorded. Due to the serotine foraging I would recommend that if permission were granted by the inspector the following strengthened condition should be attached.

> *At the first reserved matters stage a lighting strategy will be submitted ensuring that all woodland edges surrounding the site remain dark with lux levels at less than 1 lux along the woodland edge and hedgerow corridors.*
>
> Reason*: To ensure the protection and enhancement of bat foraging habitat*

2.4 The Bat Survey Good Practice Guidelines 2Nd and 3rd editions as they are cited within this response. These are Included as Appendix 5 and 6 of the appeal statement