

Ecology response 22 10 25 for F/25/99932 TOBY CARVERY, Eastleigh, SO50 6LD

External alterations and refurbishment to building including, new external lighting to front and rear elevations, wall mounted lighting to side elevation, wall mounted cladding panel to front gable and above rear access door. Repainting of external elevations, window frames, fascias and rainwater goods. New external, stand-alone freezer unit with timber enclosure and security gate. 14 No. 2.7m high timber posts with 'festoon' lighting along site frontage.

Clare Martin

22/10/25

I have reviewed the site photos. Since close-up photos were not available due to the site being fenced off, a preliminary ecological appraisal (PEA) will be required including an internal inspection, if possible. Information is required on whether the site provides suitable habitat for great crested newts, bats and nesting birds. The report must also discuss whether the lighting proposals are appropriate or would disturb bats foraging and potentially roosting on site. The report must provide information on appropriate biodiversity enhancements for this building and precautionary working methods to protect any wildlife that might be using the site.

The scaffolding that surrounds the roof makes it difficult to determine whether building work may already be in progress. I would recommend that no work be done on the building until after the PEA in case there are potential bat roost features that would be disturbed by the work.

Vegetation can be seen in the photos, which would be used by bats along the northern side of the building, any lighting that is required for security and safety purposes must not illuminate this vegetation. Any lighting in this area, if permitted, must demonstrate that it does not increase the light levels on the vegetation and any areas used by foraging bats. The light levels on the vegetation and potential bat roost features must be no more than 1 lux. A lighting levels diagram done by a qualified lighting engineer would be an appropriate way to demonstrate the light levels from the proposed scheme. This can be conditioned.

I can see from the photos that there is an existing footpath to access the site from Fair Oak Road along the river side of the building.

Lisa Malter

Ecologist

8/9/25

Protected species and habitats

This site is surrounded on two sides by the River Itchen SAC. It is in a red impact risk zone for great crested newts. There are records of great crested newts, bats, water voles and hedgehogs very close to the site. There is also potential for nesting birds to be using the site.

In addition to the works mentioned in the application proposal, the DAS states that restorative works to the roof to repair fire damage will take place but are not included in this application. The applicant has the responsibility to ensure that the roof repairs will not disturb any potential bat roost features whether or not this is included in the application. See relevant legislation paragraphs below.

To determine whether any surveys will be required I need to review close-up photos taken in good light of all areas of the roof, fascia, soffits (standing next to building and looking upwards), flashings, hanging tiles, the elevations to be affected by the proposal and any potential gaps or openings. The DAS mentions new panelling proposed on the front gable facing Fair Oak Road and redecorating the window areas.

The Bats and Buildings brochure from the Bat Conservation Trust (<https://cdn.bats.org.uk/uploads/pdf/Bats-and-Buildings.pdf?v=1634310101>) has a very good diagram to show places bats may use in buildings on page 3 of the brochure.

Photos of any areas of the site affected by the proposal are also required. This would include the area proposed for the stand-alone freezer and enclosure, the area which would be affected by installation of the security gates and the areas for the proposed timber posts along the frontage. I can see the entrance to the car park on Google maps street view, but it is not clear where the security gates are proposed within this area. They are not shown on the proposed site layout plan.

Section 6.25 mentions chalets with no further information. Please explain about any chalets which may already be on site and how they are used. There are no chalets visible on the Google maps aerial photo of the site, only picnic tables.

Lighting

The proposed elevations plan includes the specifications of the lamps proposed. The lighting cannot be addressed until we know whether or not the building supports any existing bat roosts, and the locations of any bat boxes on the building as biodiversity enhancements. In general, in areas where bats may be foraging, uplighting and floodlighting is not recommended.

Ecology would not support any additional lighting to the vegetation along the River Itchen SAC which would be used by foraging, commuting and possibly roosting bats. This area may also be used by water voles and hedgehogs.

This includes the lighting proposed on the north side of the building and high-level rope lighting along the front elevation. It is also not clear how the front of the building is to be used, as the car park appears to be the only site entrance. I would question the addition of flood lighting and any uplighting at the front of the building since there is already an advertising sign in the front garden.

The latest updated lighting guidance note (GN08/23) should be followed. This is available at [Guidance Note 8 Bats and Artificial Lighting | Institution of Lighting Professionals](https://theilp.org.uk/Guidance%20Note%208%20Bats%20and%20Artificial%20Lighting%20-%20Institution%20of%20Lighting%20Professionals.pdf) (theilp.org.uk)

Biodiversity net gain

On the application form the applicant has stated that the development is subject to the de minimus exemption with the justification that development would be below the threshold.

However, biodiversity enhancements are still required in accord with Local Plan policy DM 11 and NPPF (December 2024) paragraphs 187d and 192 b. A bat box and a swift nest box may be appropriate for this building. The gardens (particularly at the front of the building) can be enhanced with the addition of flowering plants and shrubs to support pollinators and provide food for wildlife.

The Bat Conservation Trust recommends installing a bat brick/box at least 4 m above the ground, away from artificial light sources, sheltered from strong winds and exposed to the sun for part of the day, facing south, south-east or south-west. ([https://www.bats.org.uk > our-work > putting-up-your-box](https://www.bats.org.uk/our-work/putting-up-your-box))

Swift nest boxes are best positioned under the eaves or on walls facing north, northeast or north-west out of direct sunlight, five metres above the ground, with clear adjacent airspace so swifts can access them in a high-speed direct flight.

(<https://www.swiftconservation.org/Nestboxes%26Attraction.htm>)

Additional information is available at:

<https://sussexwildlifetrust.org.uk/discover/in-your-garden/article/31>, planting for bats

<https://www.wildaboutgardens.org.uk/sites/default/files/2022-03/WAG16%20Bats%20updated%202022%20WEB.pdf> - Stars of the Night guide to attract bats into your garden

<https://www.rhs.org.uk/science/conservation-biodiversity/wildlife/plants-for-pollinators>

<https://www.bats.org.uk/our-work/buildings-planning-and-development/bat-boxes>

<https://www.hampshireswifts.co.uk/nesting>

<https://www.rspb.org.uk/birds-and-wildlife/advice/how-you-can-help-birds/nestboxes/nestboxes-for-small-birds/>

<https://www.swift-conservation.org/OurLeaflets.htm>

<https://www.hedgehogstreet.org/help-hedgehogs/hedgehog-homes/>

www.bats.org.uk/resources/guidance-for-professionals/landscape-and-urban-design-for-bats-and-biodiversity

<https://ptes.org/my-garden/>

<https://www.ukbutterflies.co.uk/foodplants.php>

Habitats Regulations Assessment

On the planning application section Biodiversity and Geological Conservation, the applicant has ticked no for protected and priority species and designated sites, important habitats or other biodiversity features. This is not correct.

This site is surrounded on two sides by the River Itchen SAC. It is in a red impact risk zone for great crested newts. There are records of great crested newts, bats, water voles and hedgehogs very close to the site. There is also potential for nesting birds to be using the site, both in the building and trees on or adjacent to the site.

The application form clearly states that *where a development proposal is likely to affect features of biodiversity or geological conservation interest, you will need to submit, with the application, sufficient information and assessment to allow the local planning authority to determine that proposal.*

Relevant legislation

As the LPA we have a legal duty to ensure that protected sites, protected species and their habitats will not be harmed by development. This is based on the following legislation:

The Wildlife and Countryside Act (1981 as amended). This act provides protection for a list of species including bats. It is an offense to deliberately or recklessly injure, kill or capture any animal protected under schedule 5, such as bats.

The Natural Environment and Rural Communities Act (NERC)(2006, updated 2023) Section 41 requires that any public bodies take into consideration any species and habitats listed in the UKBAP when implementing their duty and exercising any normal functions. Section 40 specifies the duty of the local authority to conserve biodiversity.

The Conservation of Habitats and Species Regulations (2010 as amended). This covers the protection of European sites and European protected species. Bats and the River Itchen SAC are both covered by these regulations. It is an offense to deliberately disturb European protected species. This includes bats. Under these regulations 'competent authorities' such as local planning authorities and the Environment Agency must assess the environmental impact of projects and plans (such as planning applications or local plans) which affect habitats sites/species. Regulation 43 makes it an offence to deliberately capture, injure, kill, or disturb a wild animal of a European protected status. It also makes it an offence to damage or destroy the breeding site of such an animal. The fact that this last offence under the regulations does not require proof that it was done deliberately reflects the importance attached to the breeding sites in the life cycle of such animals, particularly bats.

The Environment Act 2021 requires public authorities to conserve and enhance biodiversity, including mandating a net gain in biodiversity through the planning system. The act also prohibits site clearance to reduce the baseline habitat value. If habitat is cleared before an application is submitted, the baseline habitat value of the site will be taken to be its biodiversity value immediately before the carrying on of the activities, as per Schedule 14 of the Environment Act 2021, Pt 1, Para 6a-b with a cut-off date of 30th January 2020. Where there is evidence of deliberate neglect or damage to any of the habitats and species, their

deteriorated condition will not be taken into consideration and the ecological potential of the site will be used to decide the acceptability of any development proposals.

Lisa Malter

Ecologist