

Planning and Highways Committee 2024

REPORTS FOR CIRCULATION

REPORT BY EXECUTIVE DIRECTOR – CITY DEVELOPMENT

PURPOSE OF REPORT

This report is circulated to the Committee. It includes additional information received after the preparation of the Committee Report. This information may allow a revised recommendation to be made.

LIST OF CIRCULATED ITEMS

Application 24/01011/LB3 of Item 4

Bandstand Roker Park Roker Park Road Sunderland SR6 9PL

Repairs and restoration works to the bandstand.

In respect of the main agenda report the ecology comments have been received.

Policy NE2 of the Core Strategy and Development Plan requires development proposals to avoid or minimise adverse ecological effects in accordance with the mitigation hierarchy. The mitigation hierarchy is defined in NPPF paragraph 180a, which specifies that, where it is not possible to avoid or adequately mitigate harm, compensation is required in respect of that harm.

The NPPF also states that planning permission should be refused where any residual ecological effects amount to significant harm to biodiversity. Policy NE2 does not specify that the hierarchy applies to significant harm only, and instead refers to adverse effects in general.

In a local context compensation is therefore required in respect of all adverse ecological effects. After the mitigation hierarchy is applied in respect of important ecological features and any residual effects comprise significant harm to biodiversity there is also a clear reason for refusal under NPPF.

Due to the nature of the bandstand being situated within Roker Park, an area of suitable bat foraging habitat, and having an internal roof space which could support roosting bats, a daytime bat walkover (DBW) and a minimum of two bat activity surveys should be carried out to assess the suitability of the structure for roosting bats. Both the DBW and bat activity survey work should be carried out by a suitably qualified ecologist and should be carried out in line with the Bat Conservation Trust's Bat Surveys for Professional Ecologists Good Practice Guidelines (4th Edition, 2023).

Ecology Summary

A daytime bat walkover (DBW) and a minimum of two bat activity surveys should be undertaken on the structure. Reports should be submitted to the local planning authority for consideration.

It is therefore recommended that additional conditions in respect of Bats are added to the list of conditions on the main agenda. The proposed ecology condition will be a pre commencement condition.

The consultation period has now expired with the Garden Trust and no comments have been received.

RECOMMENDATION: MINDED TO GRANT CONSENT, subject to conditions on the main agenda report and addition of an ecological condition in respect of Bats as detailed above in the Council Ecologist response.

END OF REPORT