

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Planning Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Tuesday, 18 October 2022 commencing at
10:00 am**

Present:

Chair
Vice Chair

Councillor R D East
Councillor G F Blackwell

and Councillors:

R A Bird, M A Gore, D J Harwood, M L Jordan, E J MacTiernan, J R Mason, J P Mills,
A S Reece, J K Smith, P E Smith, R J G Smith, R J Stanley (Substitute for P W Ockelton),
P D Surman, R J E Vines, M J Williams and P N Workman

PL.27 ANNOUNCEMENTS

- 27.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 27.2 The Chair gave a brief outline of the procedure for Planning Committee meetings, including public speaking.

PL.28 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 28.1 Apologies for absence were received from Councillors K Berliner and P W Ockelton. Councillor R J Stanley would be a substitute for the meeting.

PL.29 DECLARATIONS OF INTEREST

- 29.1 The Committee's attention was drawn to the Tewkesbury Borough Council Code of Conduct which was adopted by the Council on 26 June 2012 and took effect from 1 July 2012.
- 29.2 The following declarations were made:

Councillor	Application No./Agenda Item	Nature of Interest (where disclosed)	Declared Action in respect of Disclosure
G F Blackwell	Agenda Item 5c – 19/01201/FUL – Fortitude, Birdlip Hill, Witcombe.	Had communications with the applicant in relation to the application but had not expressed an opinion.	Would speak and vote.

R J Stanley	Agenda Item 5d – 21/00686/FUL – Crown Close, Bishop’s Cleeve.	Had spoken to residents in relation to the application but had not expressed an opinion.	Would speak and vote.
R J E Vines	Agenda Item 5c - 19/01201/FUL – Fortitude, Birdlip Hill, Witcombe.	Is a Gloucestershire County Councillor for the area.	Would speak and vote.

29.3 There were no further declarations made on this occasion.

PL.30 MINUTES

30.1 The Minutes of the meeting held on 20 September 2022, copies of which had been circulated, were approved as a correct record and signed by the Chair.

PL.31 DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL

31.1 The objections to, support for, and observations upon the various applications as referred to in Appendix 1 attached to these Minutes were presented to the Committee and duly taken into consideration by Members prior to decisions being made on those applications.

22/00232/FUL - Land to the South of Geston Place, Twyning

31.2 This application was for residential development comprising 21 dwellings, creation of new vehicular access and ancillary works.

31.3 The Development Management Team Leader advised that the proposal sought full planning permission for residential development of 21 dwellings, including eight affordable homes, the creation of a new vehicular access off Shuthonger Lane and ancillary works. The application site was located to the south of a recent housing development to Brockeridge Paddocks, directly to the south of Geston Place and to the west of an area of public open space which served that development. An application for residential development of up to 36 dwellings had recently been allowed on appeal located to the south of the site. Although not allocated for housing, the application site lay within the settlement boundary as defined in the Tewkesbury Borough Plan and within the Residential Development Boundary as defined by the Twyning Neighbourhood Development Plan. The proposal would accord with the principles of Joint Core Strategy Policy SD10, Policy RES2 of the Tewkesbury Borough Plan and Policy GD2 of the Neighbourhood Development Plan. Whilst the proposal would lead to some landscape harm by introducing development on an undeveloped parcel of land, this would be limited due to the presence of built development to the north and the recently approved development to the south with this proposal essentially infilling a gap. The proposal would provide a variety of house types and designs which would be harmonious with the area and would include eight affordable dwellings, of which five would be social rented. The applicant had advised that a number of ecological assessments had now been completed following initial advice from the Council’s Ecological Adviser. The findings were being written up and would be subject to review by the Ecological Adviser. The proposal would have no other adverse impacts in terms of highway safety or flood risk. The Officer recommendation remained delegated permit, as set out in the Additional Representations Sheet, attached at Appendix 1.

- 31.4 The Chair invited the representative from Twyning Parish Council to address the Committee. The Parish Council representative indicated that he intended to focus on why the Parish Council felt the five year land supply was relevant in the current circumstances. He explained that the Parish Council's original argument was based on the fact that Officers had not addressed the five year housing land supply position within the Committee report; however, the Additional Representation Sheet clarified that the Council was now able to demonstrate a five year housing land supply therefore the tilted balance was not engaged. As such, the Parish Council representative noted that Paragraphs 11 and 14 of the National Planning Policy Framework did not apply and the question was therefore whether there continued to be a requirement to allow additional houses to be built in rural villages such as this, particularly given that the Tewkesbury Borough Plan Inspector had stated that Service Villages had sufficient housing and did not require any more.
- 31.5 The Chair invited a local resident speaking in objection to the application to address the Committee. The local resident indicated that, as had been explained by the Parish Council, consideration of this application must now take place under a new set of circumstances which changed the perspective that had held sway for a considerable period. In the last few years, Twyning had built-out over 100 houses with the majority allocated in the Twyning Neighbourhood Development Plan. Since that time, a further 83 houses and 29 caravans had been approved on appeal with another 81 houses including this application, in the planning process – this represented a potential 38% increase in households in the Parish based on the 2011 census figures. In his view, the five year land supply status and allocations made in the Tewkesbury Borough Plan – none of which had been allocated to Twyning – were ample reason for the application to be refused. There were further reasons for refusal including surface water disposal and sewage capacity which he did not have time to go into in detail but he recommended that Members take careful note of the sustainability issues raised in the Stagecoach submission and the note from Severn Trent Water. Twyning had met its obligations in relation to housing numbers and he felt that Members must be confident to embrace the new data and refuse this application.
- 31.6 The Chair indicated that the Officer recommendation was that authority be delegated to the Development Manager to permit the application, subject to the omission of Condition 12, no adverse observations being received from the Council's Ecological Adviser, any additional/amended planning conditions and/or contributions which may arise and the completion of a Section 106 Agreement to secure provision of eight affordable dwellings, an affordable housing commuted sum and contributions towards primary education, school transport and waste and recycling provision, and he sought a motion from the floor. It was proposed and seconded that authority be delegated to the Development Manager to permit the application in accordance with the Officer recommendation. The proposer of the motion appreciated the points raised by the public speakers; however, she did not think there was a sound planning reason to refuse the application. She was particularly concerned that, if the application was refused and taken to appeal, the Council would risk losing control of the development. She welcomed the eight affordable houses being proposed as part of the application and noted that a commuted sum was also being sought for 0.4 of a unit so it may be possible to build another in the future.
- 31.7 A Member drew attention to Page No. 18, Paragraph 7.7.6 of the Committee report which stated that Severn Trent Water raised no objections to the proposal but had advised there was no capacity within their foul sewage system and he raised concern that the sewage system was a major problem in Twyning. He understood the developer intended to install a treatment plant or similar solution to ensure the issue was resolved, should Severn Trent Water fail to resolve the capacity issues,

and he sought clarification as to how that would work and the associated timescales. In response, the Development Management Team Leader explained that recommended condition 3 required that no development take place above DPC level until drainage plans for the disposal of foul and surface water flows had been submitted to, and approved in writing by, the Local Planning Authority and that the scheme be implemented in accordance with the approved details before the development was brought into use; therefore, there would be sufficient time for the applicant to explore a solution with Severn Trent Water or to put forward an alternative. The Member asked if that would be dealt with quickly if the application was permitted and the Development Management Team Leader confirmed that the details would need to be submitted prior to the build so it would be early enough for measures to be put in place. The Member went on to indicate that, as was the case with a number of recent applications, there were no primary school places in Twyning so a contribution was being sought towards school transport and he asked who received that money and how it would operate within the village given that the nearest primary school in Mitton was some five miles away. In his view, children living in the village should be able to go to the village school, particularly in this day and age when people were being advised to cut down on car travel. The Development Management Team Leader explained that it was his understanding that the money would go to Gloucestershire County Council as the Local Education Authority who would use this to subsidise bus transport for residents of the area. He advised that a contribution was also being sought for primary education which could be used toward building a primary education facility within Twyning. In response to a query as to what happened when the money ran out, the representative from Gloucestershire County Council explained that education was a statutory provision for the County Council and when the money ran out the County Council would effectively pay for it. The Member indicated that he could not support the proposal for a delegated permit. In his view, Twyning had already taken more than its allocation of housing, there was no public transport so residents were completely reliant on cars and there was a lack of school places so the development should not be allowed.

- 31.8 Another Member noted that Severn Trent Water had stated there was no capacity for the proposed development within its foul sewage system and asked for clarification as to where the sewage would go if the development was permitted. He did not feel he could support the motion for a delegated permission on the grounds there was a lack of infrastructure to accommodate the houses. The Development Management Team Leader reiterated that recommended condition 3 would allow the Council to satisfy itself of the drainage details; if it could not go through Severn Trent Water there was a technical option to deal with sewage through a package treatment plant which would discharge elsewhere. At this stage, it was not known whether Severn Trent Water would be able to reach an agreement with the developer or if it would be necessary for them to look for an alternative. The Member raised concern that another system would require a tanker to remove the sewage if it was contained on site which he did not think was a modern, or appropriate, solution. In response, the Development Management Team Leader explained that when this question was raised with the applicant, if Severn Trent was not able to accommodate the new houses, the preferred option was for a package treatment plant where the waste was treated and then discharged by other means – it would not enter the Severn Trent system at any point. He stressed this was a technical matter which would be picked up under building regulations. Another Member pointed out that the housing on the adjacent site which had been allowed on appeal and the land which had been built-out on the other side would surely be in the same situation in terms of drainage so he did not see why this would be an acceptable reason for refusal in this case. The Legal Adviser explained that, with regard to the appeal site, the Inspector had been adamant that was a matter which could be dealt with by condition. A Member asked whether the two sites to the north of this site were served by a treatment

package plant or if they went into the Severn Trent system and the Development Management Team Leader indicated that he believed that Geston Place discharged into the Severn Trent sewer to the north in the High Street. The site to the south had been subject to appeal and the Inspector had found the proposed condition to be an acceptable means to deal with drainage so details were still awaited in relation to that site. The Member pointed out that Severn Trent Water had stated that no further development could be accommodated within its sewage system, therefore, a package treatment system would be necessary to deal with the sewage which would effectively become surface water which was already a problem in that part of Twyning. The Development Management Team Leader reiterated this was a technical matter. Severn Trent Water had stated that it had no capacity at that point in time; however, it had invited a developer enquiry from the applicant to discuss this further and look at the possibility of a drainage solution on its network. The proposed condition allowed options for the developer to find an appropriate solution.

- 31.9 A Member indicated that she did not believe the village school could be extended in any way as there was insufficient room and she was concerned about the provision of a bus to take children to and from another school as the road to Twyning was very narrow and heavily used; she did not consider this to be a serious short or long term solution for children getting to school. On the basis of the issues with schooling and sewage, she could not support the application. A Member shared this view and felt that the site was completely unsustainable on the basis of the statements from Severn Trent Water and Stagecoach as well as the public speakers. She echoed what had already been said regarding the sewage system and indicated that she had particular concerns about where the water would go. She anticipated further development on surrounding sites if this application was allowed and felt that the development would cause a great loss of open space resulting in a single mass of housing. In her opinion it was an example of piecemeal development which she could not support. A Member asked for clarification as to why this application was recommended for delegated permission and yet Agenda Item 5c – 19/01201/FUL – Fortitude, Birdlip Hill, Witcombe also had no public transport provision and was recommended for refusal. The Development Management Team Leader recognised that public transport in Twyning was very limited; however, Paragraph 105 of the National Planning Policy Framework set out that opportunities to maximise sustainable transport solutions would vary between urban and rural areas and that should be taken into account in both plan-making and decision-making. This acknowledged that whilst rural areas may have sub-optimal public transport options, that was not in itself a reason to withhold planning permission. The Legal Adviser warned against refusal reasons which could not be substantiated at appeal as the Inspector had made it very clear that technical matters could be dealt with by condition and she reminded Members that Gloucestershire County Council, as the Local Education Authority, was satisfied with the application in terms of education provision.
- 31.10 Another Member indicated that it appeared a majority of Members of the Planning Committee were concerned with regard to sewage and, if planning permission was granted and something went wrong, they would be the ones who were answerable to residents. The report was vague in terms of details of sewage which was unacceptable given that it was part of everyday life that must be dealt with. He suggested it may be beneficial to defer the application to secure further details to satisfy the Committee that there was an acceptable solution to deal with sewage. The Legal Adviser reiterated her earlier comments about the issue of reasonableness and advised that the Inspector had recently awarded costs against the Council for refusal on the basis of a technical matter which could be dealt with by condition.

- 31.11 Upon being put to the vote, the motion for authority to be delegated to the Development Manager to permit the application in accordance with the Officer recommendation, was lost. It was subsequently proposed that the application be refused on the basis that the Council could now demonstrate a five year housing land supply. The Legal Adviser clarified that this was not an allocated site but was within the settlement boundary, as such, the five year housing land supply was not a refusal reason which could be substantiated at appeal. Another Member proposed that the application be refused on the basis that there were no school places for children in the village who would need to be transported to school along rural lanes and as Severn Trent Water could not at this time provide capacity for sewage from the development. The Corporate Director reiterated the point raised by the Legal Adviser that the responsible authority for education had been consulted on the proposal and raised no objection subject to a Section 106 Agreement to secure a financial contribution in relation to education. In terms of drainage, that was a matter for subsequent agreement by the developer and the technical authority involved; the condition recommended would ensure the development could not proceed ahead of a technical solution being approved. The Local Planning Authority should not be concerned with that solution as it was not a technical drainage authority. The refusal reasons put forward were in relation to technical matters which Members had already been advised could not be substantiated at appeal and there would be obvious consequences for any unreasonable refusal.
- 31.12 Another Member drew attention to Page No. 9, Paragraph 3.3. of the Committee report, which stated that the site was not allocated for housing but went on to say it was within the settlement boundary as defined in the Tewkesbury Borough Plan and the Residential Development Boundary as defined by the Twyning Neighbourhood Development Plan and she asked for clarification on that. The Development Management Team Leader explained that some sites were allocated specifically for development whereas others could lie within a defined settlement boundary as part of a village. Section 7 of the Committee report went through the policies in the development plan and explained why this proposal accorded with those policies on the basis of being within settlement boundary or Residential Development Boundary.
- 31.13 A Member expressed the view that the Planning Committee's role was to apply the Council's planning policies to applications which Members were currently failing to do. He appreciated these were emotive circumstances but it was not for Officers to give Members spurious reasons to refuse things they simply did not like; Officers were there to advise on the facts in terms of what could be used at appeal to defend the position the Committee may choose to take. In terms of sewage, that was an issue of great concern to Members but it was not going to be resolved by refusing an application which was quite patently permissible in the context of planning policy. A Member indicated that, although he had voiced his concerns and indicated that he could not support a motion to permit the application, having listened to the debate, it seemed the reality was that there were no valid planning reasons for refusal which could be defended at an appeal and, with a very heavy heart, he felt the Committee had no option but to go along with the Officer recommendation and grant delegated permission. Another Member drew attention to Page No. 13, Paragraph 7.1.5 of the Committee report which stated that infill development would be supported where it was consistent with the principles of sustainable development and asked whether the proposal not being sustainable could be used as a refusal reason. The Legal Adviser explained that Members would need to specify exactly why it was not sustainable. In response, the Member recognised that sewage could be addressed by condition but indicated that it was unsustainable from a transport point of view which was reinforced by Stagecoach in its response. Another Member noted that Twyning had been identified as a Service Village on the basis that it met several criteria, one being

that it had a school; however, there were no school places so children would have to be transported out of the village and he asked if that was adequate to demonstrate the development would be unsustainable. The Development Management Team Leader explained that the school itself was not a determining factor as to why Twyning was a Service Village and no objections had been raised by the statutory consultees such as County Highways in terms of the location being unsustainable. A suitable solution had been identified i.e. a bus route for children to get to school and the Local Education Authority had not raised any objection to the proposal to bus children to other local schools. As such, he was struggling to see how that could be used as an argument against sustainability.

- 31.14 The proposer of the original motion for a delegated permission in accordance with the Officer recommendation indicated that, in the absence of any sound planning reasons for refusal, Members had little choice but to permit the application. It was disappointing that Service Villages were being targeted by developers but this was an infill site. She therefore proposed, and it was seconded, that authority be delegated to the Development Manager to permit the application in accordance with the Officer recommendation. Upon being put to the vote, it was

RESOLVED That authority be **DELEGATED** to the Development Manager to **PERMIT** the application, subject to the omission of Condition 12, no adverse observations being received from the Council's Ecological Adviser, any additional/amended planning conditions and/or contributions which may arise and the completion of a Section 106 Agreement to secure provision of eight affordable dwellings, an affordable housing commuted sum and contributions towards primary education, school transport and waste and recycling provision, in accordance with the Officer recommendation.

21/00655/FUL - Windyridge, Tewkesbury Road, Coombe Hill

- 31.15 This application was for erection of one dwelling following demolition of the existing agricultural building and associated works.
- 31.16 The Development Management Team Leader advised that the application sought full planning permission for the demolition of an existing agricultural building and replacement with a two storey house with associated facilities. The site presently comprised a concrete block-built agricultural building set to the northern side of the access drive which served Windyridge which was a detached dwelling. The site lay within the Green Belt and outside of any defined settlement boundary; however, Coombe Hill was defined as a Service Village in the Joint Core Strategy and Tewkesbury Borough Plan. Whilst the proposal would conflict with policies in respect of the location of new residential development, the site benefited from an extant prior approval for conversion of the existing agricultural building to residential use which was considered a fallback position in this instance. Although the proposal would represent inappropriate development within the Green Belt which, by definition, would be harmful, it was considered that the extant prior approval for a dwelling at the site constituted very special circumstances. Furthermore, the current proposal would be a significant improvement in design terms and would not impact the openness of the Green Belt when compared to the previously permitted scheme. The proposal was therefore considered to be acceptable and was recommended for permission, subject to conditions as set out in the Committee report.
- 31.17 The Chair invited the applicant to address the Committee. The applicant explained that his father had started building the existing barn for his livestock haulage and farming business which he had now taken over. He had an agricultural holding number which he felt demonstrated that he was at one with the land, nature and

the environment. His architect had been in regular discussion with the Planning Officer who had guided and advised them, resulting in concerns being addressed and compromises and amendments made to produce the plans presented to the Committee today. He felt that the length of time and care taken represented their desire to get this right. The applicant confirmed that he owned all of the surrounding land and more evidence of his historical care and foresight was shown by his planting of 17 trees in 1993 which were now maturing nicely down the driveway and beyond. In addition to the extra planting in the proposals, he intended to plant a small orchard in front of the house shielding further from the A38. The applicant explained that he had designed this house for himself to live in and to be versatile enough should his mobility become restricted. In summary, the proposal would protect the environment, provide a much smaller footprint, with less impact, and a better end result than converting the barn and the extended time taken ensured a high quality design which was sensitive to its rural setting. The applicant hoped that Members could support the Officer recommendation to permit the application.

- 31.18 The Chair indicated that the Officer recommendation was to permit the application and he sought a motion from the floor. It was proposed and seconded that the application be permitted in accordance with the Officer recommendation and, upon being taken to the vote, it was

RESOLVED That the application be **PERMITTED** in accordance with the Officer recommendation.

19/01201/FUL - Fortitude, Birdlip Hill, Witcombe

- 31.19 This application was for the demolition of an existing log cabin and the cessation of the extant log cabin development and the erection of a new single dwelling and associated landscaping; change of use of part of the site from lawful residential/holiday curtilage back to agriculture/paddock land.
- 31.20 The Development Management Team Leader advised that the site was located on a parcel of land situated on Birdlip Hill, Witcombe set within an area of open countryside forming the lower slopes of the Cotswold Escarpment within the Area of Outstanding Natural Beauty. Currently, a single detached log cabin which was used as holiday accommodation and an internal access track and gates were located on the land. The site was outside of any defined settlement boundary and within Flood Zone 1 as shown on the Environment Agency's plans. There was extensive planning history associated with the application site which currently benefited from an extant permission granted on appeal in 1998 allowing the erection of 10 holiday log cabins with associated sports facilities, proprietors accommodation and new access. It was noted that the access and the single holiday log cabin had been constructed. This permission formed the basis of the applicant's fallback position. Members may recall the most recent planning application which was brought before the Planning Committee in November 2019 seeking outline consent for the demolition of an existing log cabin and the cessation of the extant log cabin development and the erection of a new single dwelling. Members had refused that application as the proposal would be located in an isolated countryside location that was not well-served by public transport, pedestrian or cycling facilities and did not meet the strategy for the distribution of new development, subsequently the application site was not an appropriate location for a new market dwelling; and, on the basis of the information provided at the time, the proposed development would result in an unwarranted and visually intrusive impact on the open character and visual attractiveness of the Cotswold Area of Outstanding Natural Beauty. The scheme presented to Members today had been submitted as a full application and had sought to address the previous reasons for refusal. The application was supported by information that was not previously available as part of the outline scheme including a detailed design of the

proposed new dwelling, a visual landscape assessment, comparison sketches, ecological appraisal, energy assessments and a landscaping scheme. Officers had initial concerns regarding the proposed design of the new building and how it would enhance or conserve the scenic beauty of the Area of Outstanding Natural Beauty and Officers recommended that the design be presented to the Gloucestershire Design Review Panel. The applicant had agreed to this and, due to the COVID-19 pandemic, it had not been heard until July 2021 when the Panel had resolved that the site was in a very sensitive part of the Area of Outstanding Natural Beauty and successful redevelopment could only be achieved with a thoroughly thought out proposal which brought together landscape and architecture as integral components of the design. The Panel had also concluded that the current proposal had failed to achieve this high standard of design and, for that reason, could not be supported. Following these results, the applicant had submitted additional supporting information which included a revised landscape assessment, landscape mitigation proposals, more detail regarding lighting impacts and a revised design of the building. The Council's invitation to the applicant to take this information back to the Gloucestershire Design Review Panel for assessment had been declined. As a result, the application had been assessed by Officers on the basis of the additional information and the revised design; this assessment was set out in the Committee report and identified that a material change of policy had occurred since the submission of the previous application in terms of the adoption of the Tewkesbury Borough Plan and the confirmation that the Council could now demonstrate a five year housing land supply. As such, the application had been determined with the planning balance as a straight balance of benefits against harm. In summary, the proposal would result in a new market dwelling in a location with poor accessibility other than by private car and was not well served by opportunities for sustainable modes of transport. In terms of design, the scheme would have a visually intrusive and urbanising impact on the open character and attractiveness of the Cotswold Area of Outstanding Natural Beauty and would not achieve a high enough standard to enhance its character. Officers considered those harms were not outweighed by the minor economic benefits. As set out in the Additional Representations Sheet, attached at Appendix 1, the applicant's agent had submitted an updated Ecology Addendum to the Council on Monday 17 October 2022. The update had been sent to the Council's Ecological Adviser for comments but none had been received as yet. The Officer recommendation to refuse the application remained unchanged. Notwithstanding this, should Members be minded to permit the application, it was recommended that authority be delegated to the Development Manager to permit the application subject to satisfactory assessment of the ecology update.

- 31.21 The Chair invited the applicant's agent to address the Committee. The applicant's agent indicated that Members would recall the site had permission for 10 holiday log cabins, granted on appeal in the 1990s. All parties accepted that permission had been implemented through the construction of a single log cabin meaning that it was extant and could be completed at any time. The last application came before Members three years ago as an outline application and, at that meeting, the then Development Manager advised that Officers had no objection in principle to a single dwelling replacing the log cabins but there were concerns with allowing an outline application as there would be no certainty over design and the impact on the Area of Outstanding Natural Beauty. Members had reaffirmed their support in principle and invited the applicant to come back with a full application to provide comfort over design – a contemporary design was supported. The applicant's agent advised that a full application had duly been submitted two years and 10 months ago and the application before the Committee today was the very same one. Almost three years and four Planning Officers later, and having spent an extraordinary amount of time and money providing the various technical reports and plans requested, it appeared to have got nowhere. Shortly after the application was submitted, the original Planning Officer requested that the

application be taken to the Gloucestershire Design Review Panel and, despite reservations and at huge cost, the applicant had agreed. The application had finally been considered by the Panel in November 2021 where constructive comments had been received suggesting further design rationale, a few design changes and a robust Landscape Masterplan – the contemporary design had been supported. The plans had subsequently been revised and the applicant had invested in a Landscape Strategy. What followed over the next few months was simply unacceptable with the application being reallocated to three further Officers over a period of six months. In July 2022, the application was allocated its fourth Planning Officer; at that time, the Council's Landscape Adviser had been reconsulted and confirmed no objection. The applicant's agent had also been told by the fourth Officer that, although the design was perhaps not his personal choice, given how far down the line the scheme was, they would not be asked to fundamentally redesign it. The applicant's agent had therefore been shocked to be told only two months later that Officers fundamentally did not like the design and intended to refuse – a clear moving of goal posts and totally unreasonable after three years. This had raised two questions: if Officers were fundamentally opposed to the design concept, why was the applicant made to go to the Gloucestershire Design Review Panel which had required them to wait for 18 months; and why were they encouraged to waste three years of time and money carrying out landscape strategies and design justification which were seemingly never going to make any difference. If Officers were fundamentally opposed to the design, they could have refused the application three years ago. The applicant's agent was sorry to say that they had lost all faith with the process and now looked to Members to make a reasonable and balanced decision. The current proposal was 115% smaller than the combined floor area of the log cabin scheme and the residential curtilage was 44% smaller, furthermore, there was now a robust Landscaping Strategy. The applicant's agent felt this was the best chance to deliver a positive design for the site.

- 31.22 The Chair indicated that the Officer recommendation was to refuse the application and he sought a motion from the floor. It was proposed and seconded that the application be permitted on the basis that the proposal would have a more favourable impact on the Area of Outstanding Natural Beauty than the log cabin development which could be built under the extant planning permission. The proposer of the motion indicated that, as stated by the applicant's agent, an outline application had been considered by the Committee in November 2019 and the Chair at the time had felt that more information was needed and that a full application was required. The applicant had duly gone away and come up with another proposal which was before Members today. Granting planning permission for a single dwelling would do away with the extant planning permission for 10 log cabins on the site which he felt would be a huge improvement given the site's location in the Area of Outstanding Natural Beauty. He noted from the Additional Representations Sheet that County Highways had objected to the proposal; however, no objection had been raised in 2019, nor in 2016 when no objection had been raised subject to conditions. In his view, a single dwelling would have a more acceptable impact on the Area of Outstanding Natural Beauty than 10 log cabins which could feasibly be built in accordance with the extant planning permission. The seconder of the motion felt that the principle of development had already been established and the issue over the last three years was in relation to design. The applicant had done all they could to produce a design in accordance with Officers' wishes and the question was whether this would fit in with the Area of Outstanding Natural Beauty – did Members really want to see 10 log cabins on the site or something which would improve the area. The Development Management Team Leader advised that, should Members be minded to permit the application, this should be a delegated permit to allow for appropriate conditions; to secure a Section 106 Agreement in order to ensure the rest of the site was changed from residential/holiday use back to agriculture/paddock land, which the applicant's

agent had agreed they would be happy to enter into; and, as he had previously advised, pending a response from the Council's Ecological Adviser in relation to the Ecology Addendum which may require additional mitigation. The seconder of the motion indicated that he was reluctant to agree to a delegated permit given the history of delays with this application; whilst he understood the technical reasons for delegation, timing was a concern to him. Another Member also raised concern as to what the timeframe might be. In response, the Legal Adviser explained that the Committee report had been written on the basis of a refusal and, if permitted, it would be necessary to include relevant conditions. Indicative conditions could include the development being carried out in accordance with approved plans, tree protection, external lighting and ecology, if necessary to reflect the consultation response which was awaited from the Council's Ecological Adviser. She did not envisage this would result in a long delay in granting planning permission. It was also necessary to secure a Section 106 Agreement in order to stop the log cabin development from going ahead as that was the basis upon which planning permission would be granted in accordance with the motion currently on the table – that would not be achieved without a Section 106 Agreement in place. She advised that it was a very simple agreement to enter into so she did not anticipate this taking a long time to achieve. The Development Management Team Leader confirmed that was the case and he was sure the applicant would be willing to move as quickly as possible. He explained that the Ecological Adviser had been consulted the previous day so a response was imminent.

- 31.23 A Member sought clarification from Officers as to whether they believed a refusal would stand up at appeal and the Development Management Team Leader confirmed that it would not have been recommended for refusal if that was not the case. The Member went on to indicate that the original proposal for the log cabin development had also been recommended for refusal so, by the same logic, Officers would also have considered that could be defended on appeal; however, that development had been allowed on appeal so he asked why Officers believed that the Council would win an appeal in this instance. In response, the Development Management Team Leader advised that almost thirty years had passed since the appeal during which time there had been considerable material changes to planning policies. A Member expressed the view that a decision must be made on the merits of the application, not on the history of its fruition and the time wasted as far as the applicant was concerned.
- 31.24 The proposer and seconder of the motion to permit the application confirmed they were happy to amend the proposal to a delegated permit and, upon being put to the vote, it was

RESOLVED

That authority be **DELEGATED** to the Development Manager to **PERMIT** the application on the basis that the proposal would have a more favourable impact on the Area of Outstanding Natural Beauty than the log cabin development which could be built under the extant planning permission, subject to the inclusion of appropriate conditions; a Section 106 Agreement to ensure the rest of the site was changed from residential/holiday use back to agriculture/paddock land; and, to allow for any additional mitigation required by the Council's Ecological Adviser in response to the Ecology Addendum.

21/00686/FUL - Crown Close, Bishop's Cleeve

- 31.25 This application was for redevelopment of the site to include demolition of existing garages/maisonettes and erection of 28 affordable dwellings with associated access, parking and landscaping. It was noted that the description of the development had been amended since the Committee report had been published to reduce the number of affordable dwellings from 30 to 28.
- 31.26 The Senior Planning Officer advised that the proposal sought demolition of five units, each with four/flats maisonettes in mixed tenure, together with the demolition of the single storey garages. The brownfield site was served from an existing access leading onto Crown Drive and was in a predominantly residential area. The proposed 28 dwellings would comprise 18 houses and 10 apartments, which would all be affordable, and 48 off-street parking spaces would be provided. The scheme was supported by Bishop's Cleeve Parish Council and any outstanding drainage issues had been resolved. The principle of development was acceptable and the proposal would provide much-needed affordable housing through the comprehensive redevelopment of an underused and unappealing site. The proposal was considered to have an acceptable impact on the character and appearance of the surrounding areas and on residential amenity and it was therefore recommended that authority be delegated to the Development Manager to permit the application, subject to the omission of Condition 7, as set out in the Additional Representations Sheet, attached at Appendix 1; the receipt of no additional adverse representations during the consultation period for the revised plans, which was due to end today; the completion of a Section 106 Agreement to secure the affordable housing in perpetuity; and any amended/additional conditions.
- 31.27 The Chair invited the applicant's representative to address the Committee. The applicant's representative advised that the proposal was to replace the unsatisfactory maisonettes which required modernisation with 18 social rent and 10 shared ownership properties. The scheme offered well-designed homes which would benefit from high thermal efficiency and would improve the visual and social aspects of the existing residential development. The position and orientation of the units minimised overlooking to and from the adjacent properties and the position of the new dwellings was set in order to avoid new overlooking from within the site itself. The method for creating suitable dwellings for modern living was to make larger than usual living areas and all dwellings would be above the minimum requirement of the Nationally Designed Space Standards. The addition of modern design would create an uplifting area to live in. As would be expected, a number of surveys had been carried out to deal with matters of flooding, drainage, transport and traffic which had all met with the satisfaction of Officers. The building design had been shaped through meetings with the local community who favoured a contemporary feel; several public consultations had been held with Rooftop, Hemmingway Design and The Space Studio which had helped shape the initial concepts. The designs replicated those of the recently completed Bishop's Drive (Pember Close) redevelopment. These homes would be built to the same excellent standard that could be seen at the former garage sites at Jesson Road, Linworth Road, Bishop's Close and Bishop's Drive – homes which tenants thought were outstanding. The proposed development would enhance the area by removing dilapidated and unsightly garages that were exposed to anti-social behaviour and build much needed affordable homes for local people with a modern twist.
- 31.28 The Chair indicated that the Officer recommendation was that authority be delegated to the Development Manager to permit the application, subject to the omission of Condition 7, as set out in the Additional Representations Sheet, attached at Appendix 1; the receipt of no additional adverse representations during

the consultation period for the revised plans; the completion of a Section 106 Agreement to secure the affordable housing in perpetuity; and any amended/additional conditions, and he sought a motion from the floor. It was proposed and seconded that authority be delegated to the Development Manager to permit the application in accordance with the Officer recommendation. A Member noted concerns had been raised in relation to overlooking and the removal of third party boundary trees which provided a level of privacy and she asked if it was possible to include a condition to address this. In response, the Senior Planning Officer confirmed that overlooking was one of the major issues pointed out by objectors, particularly in respect of Unit 1 in the north-west corner of the site adjoining Crown Drive. In order to address that, he indicated that a condition could be added to remove permitted development rights so that no additional windows could be placed in that elevation. The proposer of the motion thanked the applicant's representative for what was, in his view, a considerable investment in this particular area of Bishop's Cleeve. He felt this was an excellent proposal - other parts of Bishop's Cleeve had seen considerable improvement following redevelopment and he looked forward to the same on this particular site. A Member echoed these comments and endorsed the inclusion of the additional condition to prevent overlooking. He felt this would be a welcome change for residents of the existing properties which were very old and caused numerous issues - it would make a real difference to the quality of the lives of those living in them. The Senior Planning Officer recommended a further additional condition in relation to the provision of electric vehicle charging points on the site and the proposer and seconder of the motion indicated they were both happy with the inclusion of the two additional conditions suggested. Upon being put to the vote, it was

RESOLVED That authority be **DELEGATED** to the Development Manager to **PERMIT** the application, subject to the omission of Condition 7, as set out in the Additional Representations Sheet, attached at Appendix 1; the inclusion of a condition to remove permitted development rights from Unit 1 so no additional windows could be placed in that elevation; the inclusion of a condition to secure provision of electric vehicle charging points on the site; the receipt of no additional adverse representations during the consultation period for the revised plans; the completion of a Section 106 Agreement to secure the affordable housing in perpetuity; and any amended/additional conditions.

PL.32 CURRENT APPEALS AND APPEAL DECISIONS UPDATE

- 32.1 Attention was drawn to the current appeals and appeal decisions update, circulated at Pages No. 116-119. Members were asked to consider the current planning and enforcement appeals received and the Department for Levelling Up, Housing and Communities appeal decisions issued.
- 32.2 A Member drew attention to Page No. 117, Paragraph 2.1 of the report in relation to 21/01312/PIP - Land Adjacent Blenheim Way, Shurdington which stated that a partial award of costs was made against the Council for the erroneous inclusion of an additional refusal reason and she asked for further clarification on this. The Legal Adviser explained that, although the Inspector had taken a different view on infilling to that of the Committee, there was not unreasonable behaviour found in respect of that; however, partial costs had been awarded because a further reason of sustainability not put forward by the Committee had, in error, found its way into the appeal documentation which had been unreasonable and the appellant had incurred unnecessary costs in respect of that. In response to a query, the Legal Adviser indicated that she did not know how much the Council was required to pay.

32.3

It was

RESOLVED

That the current appeals and appeal decisions report be
NOTED.

The meeting closed at 11:37 am

Appendix 1

ADDITIONAL REPRESENTATIONS SHEET

The following is a list of the additional representations received since the Planning Committee Agenda was published and includes background papers received up to and including the Monday before the meeting.

A general indication of the content is given but it may be necessary to elaborate at the meeting.

Item No	
5a	<p>22/00232/FUL</p> <p>Land To The South Of, Geston Place, Twyning</p> <p>Ecology Update</p> <p>The applicant has advised that their Ecological Consultants have now completed the requested Phase 2 ecological surveys.</p> <p>A summary of the findings is set out below:</p> <ul style="list-style-type: none"> • Hedgerow survey: None of the hedgerows onsite were assessed as being 'ecologically important' under the ecological criteria of the Hedgerows Regulations 1997. • Reptile survey: Low numbers of grass snake were recorded. Construction-mitigation measures (e.g., phased habitat manipulation to render habitats unsuitable for reptiles prior to site clearance) would be required to mitigate impacts. • Bat surveys: have been completed. Analysis of the bat survey data is underway. A number of trees onsite have been identified as having Moderate or High bat roost suitability. These are located on the southern site boundary; assuming that these are retained and buffered from development then impact to roosting bats can be avoided. • Badger survey: No badger setts were recorded onsite. • The site provided suitable habitat for Great Crested Newt; planning and legal obligation concerning Great Crested Newt could be dealt with via District Level Licencing. <p>The approach and results of the surveys and a full ecological mitigation and enhancement strategy will be contained in an Ecological Impact Assessment report, which is being prepared.</p> <p>This will also contain a Biodiversity Net Gain (BNG) assessment using the Defra metric 3.1.</p> <p>The applicant is also preparing a shadow Habitat Regulations Assessment (HRA) and providing information to support an enquiry to NatureSpace concerning District Level Licencing for Great Crested Newts.</p> <p>Once the relevant reports outlined above have been completed, they will need to be submitted to the Local Planning Authority and would be subject to review by the Council's Ecological Adviser.</p> <p>Other Matters</p> <p>For the purpose of clarity, and in reference to Paragraphs 8.6 and 9.1 of the Committee report, the Council is able to demonstrate a 5 year housing land supply and the tilted balance is not engaged. The application has therefore been</p>

	<p>assessed against, and the recommendation made with regard to, policies in the development plan on the normal balance and there are no material considerations which would lead to a conclusion other than to grant planning permission.</p> <p>It is recommended that Condition 12 is omitted as it does not meet the six tests in respect of the use of planning conditions.</p> <p>Conclusion</p> <p>The recommendation remains DELEGATED PERMIT subject to the omission of Condition 12, no adverse observations being received from the Council's Ecological Adviser, any additional/amended planning conditions and/or contributions which may arise and the completion of a Section 106 legal agreement to secure:</p> <ul style="list-style-type: none"> - Provision of 8 affordable dwellings - £60,000 - affordable housing commuted sum - 132,642.90 - towards primary education - £39,550 - towards school transport - £1,533 - towards waste and recycling provision
5c	<p>19/01201/FUL</p> <p>Fortitude, Birdlip Hill, Witcombe</p> <p>Additional Consultations</p> <p>Since writing the Committee Report the following consultation responses have been received:</p> <p>County Highway Authority - Objects and recommends that the application is refused. The County Highways Authority deemed that vehicular access to the site as proposed would have an acceptable impact upon the highway network. Notwithstanding this, the County Highways Authority considers that the proposal would be located in an unsustainable location which would generate a higher level of trips over and above the extant holiday cabins. The County Highways Authority therefore recommends that the application is refused due to it conflicting with the sustainable transport aims of the National Planning Policy Framework. The full response from the County Highways Authority is appended.</p> <p>Officer Update</p> <p>Since writing the Committee Report, the County Highways Authority has raised objections to the proposal and recommend refusal on sustainability grounds. The objection, which raises concerns regarding the location of the proposal is also covered in the first reason for refusal as set out in Paragraph 10 of the Committee Report. As such the recommendation to refuse the application remains the same.</p> <p>Ecologist - The Council's Ecological Advisor confirms that updated survey work is required given the time elapsed since the previous report was undertaken. The full response from the Ecologist is appended.</p> <p>An updated Ecology Addendum was submitted by the agent to the Council at 10:40am on Monday 17 October (the report is appended). The report suggests that, following a recent site visit, no further survey work is required in terms of bats and that mitigation is undertaken in line with the previous report.</p>

	<p>Officer Update</p> <p>The update has been sent to the Council's Ecological Advisor for comments; however, given the timescales it may not be possible to obtain a response in time for the Committee meeting, notwithstanding this a verbal update will be provided to Members as part of the Officer presentation.</p>
5d	<p>21/00686/FUL</p> <p>Crown Close, Bishops Cleeve</p> <p>Members' attention is drawn to the amended description of development to reflect the revised plans:</p> <p><i>"Redevelopment of site to include demolition of existing garages/maisonettes and erection of 28 affordable dwellings with associated access, parking and landscaping."</i></p> <p>Subsequently Paragraph 2.2 of the Committee report should state 28 units to reflect the amended description of development.</p> <p>As a further update, an Extension of Time has been formally agreed with the applicant to allow the completion of the S106 legal agreement.</p> <p>The formal consultation period expires 18 October 2022.</p> <p>A further representation has been received from the Lead Local Flood Authority stating no objections.</p> <p>It is recommended that Condition 7 is omitted as it does not meet the six tests in respect of the use of planning conditions.</p> <p>The recommendation remains the same, to PERMIT the application subject to the omission of Condition 7, receipt of no additional adverse representations, conditions and the completion of a Section 106 legal agreement.</p>

Item 5c – 19/01201/FUL Fortitude, Birdlip Hill, Witcombe



Tewkesbury Borough Council
Council Offices
Gloucester Road
Tewkesbury
Gloucestershire
GL20 5TT

Highways Development
Management
Economy Environment and
Infrastructure
Shire Hall
Westgate Street
Gloucester
GL1 2TG

13 October 2022
Your ref: 19/01201/FUL

[REDACTED]
[REDACTED]

**TOWN AND COUNTRY PLANNING ACT 1990
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015
ARTICLE 18 CONSULTATION WITH HIGHWAY AUTHORITY**

PROPOSAL: Demolition of an existing log cabin and the cessation of the extant log cabin development and the erection of a new single dwelling and associated landscaping. Change of use of part of site from lawful residential/holiday curtilage back to agriculture/paddock land.

LOCATION: Fortitude Birdlip Hill Witcombe Gloucester Gloucestershire

[REDACTED] [REDACTED]

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 recommends that this application is **refused**.

The justification for this decision is provided below.

The proposal seeks the demolition of an existing log cabin and the cessation of the extant log cabin development and the erection of a new single dwelling and associated landscaping. Change of use of part of site from lawful residential/holiday curtilage back to agriculture/paddock land at Fortitude Birdlip Hill Witcombe Gloucester Gloucestershire.

[REDACTED]

There is an extensive planning history on this site, most of which is now lapsed, however there is an extant outline planning permission for the erection of 10 holiday log cabins with associated sports facilities, proprietors' accommodation, and new access (reference 02/01723/OUT).

The application site is located on the eastern side of Birdlip Hill, approximately 2km from the settlement of Brockworth, Gloucester. It is bound to the north, south and east by open fields. Birdlip Hill is subject to a design speed of 40mph at the vicinity of the site. There are 2no. recorded PIC's near the vicinity of the site within the most recent 5no. years, approximately 140 metres equidistant to the northwest and southeast from the site access. Based on the collision data presented, there are no patterns indicative of highway safety deficiencies within the local road network.

Sustainability

The site is in a rural community and there would be limitations to the choice of transport modes available for future occupiers. Manual for streets (mfs) states that walkable neighbourhoods are characterised by having a range of facilities within 10 minutes' walk, which is approximately 800 metres. However, this is not an upper limit and industry practice considers that 2km is a maximum walking distance door to door. The nearest bus stops are located some 1.18km northwest which exceed the otherwise acceptable 400 metres walking distance. These stops are serviced by no. 21 service to Worcester Street, Gloucester with only 3 directional services Monday to Friday, which are not perceived suitable to address the commuting needs of future occupiers. Additional stops are located some 1.8km from the site along Ermin St with regular commutable services to Lower Tuffley and Cheltenham. Additional facilities such as food shop, primary school and doctors practice are beyond the acceptable maximum walking distances.

There are no pedestrian footways along the public highway that connects the site to the bus stops, the nearest footway being some 800m northwest from the site along the southern side of Birdlip Hill. Given the design speed of the road and lack of infrastructure, it would prove a barrier for future occupiers to walk to these services, resulting in heavily, if not entirely, dependency on private vehicle for commuting and access to everyday facilities. These are however within acceptable cycling distances, yet given the 40mph design speed of Birdlip Hill and lack of a designated cycling lane, inexperienced cyclists would be discouraged from attempting to cycle along this route, however more experienced cyclists would not see this a barrier.

It is appreciated the Highway Authority's previous representations in respect of this site, particularly the most recent consultation ref 18/01295/OUT for the demolition of the existing log cabin and the erection of a new single dwelling, for which there were no highways objections raised subject to conditions. However, since that consultation there has been several revisions to both national and local policy, including the National Planning Policy Framework and Gloucestershire's Local Transport Plan. The environmental agenda has since taken a central focus in the decision-making process which is supported by policies within these documents.

The trips profile between the extant permission and that proposed are very different, whereas the holiday accommodation is unlikely to be occupied 100% of the time, the proposed residential dwelling is. It is appreciated that the lawful use comprises of a proprietor's accommodation, however its occupation was limited by way of a



planning condition and restricted to the sole purpose of working in the holiday business.

The present proposal would therefore be likely to generate a daily number of trips for commuting to work, school, access to supermarkets, etc. all of which are not only different in nature from the otherwise permitted use but constrained by the lack of available sustainable modes of transport nearby.

In terms of safe and suitable vehicular access to this site, the proposed arrangements are deemed acceptable and the impact on highway network is also accepted and considered negligible.

Therefore, the proposal conflicts with policy INF1 of the Joint Core Strategy 2011 to 2031, policies PD 0.1, and PD 0.4 of the Local Transport Plan 4 and would conflict with the sustainable transport aims of the National Planning Policy Framework contained in paragraphs 110 and 112.

Yours Sincerely

[Redacted Signature]

Development Coordinator

[Redacted Footer]

[REDACTED]

Subject:

Ecology consultation request - 19/01201/FUL

CAUTION: This message originated outside of Tewkesbury Borough Council's network.
THINK TWICE before clicking links or attachments.

[REDACTED]

Looking at the report as there is a building subject to demolition an updated survey will be required as bats are very mobile and there could now be roosting features, even though the building was previously assessed as being of negligible potential.

The pond (if still present) will need to be reassessed for its potential for GCN, if suitability is present further presence / absence surveys will be required prior to determination. As the site is within an amber risk zone, as a minimum Reasonable Avoidance Measures will be required, even if the grassland is still of short sward as this can provide dispersal opportunities.

The updated ecological appraisal is to address opportunities for biodiversity enhancements and make suitable recommendations.

Many thanks

[REDACTED]



THE ECOLOGY EXPERTS

Ecological Consultancy | Education & Training | Media
 Specialists to Road, Rail & Developments
 3 Halegrove Court
 Cygnet Drive
 Stockton-on-Tees, TS18 3DB
 T: 01642 061541
 E: hello@naturallywild.co.uk

Project Code: ZEST-21-03
Fortitude, Witcombe, Gloucester, GL3 4SN
OS Grid Reference: SO 91395 15126

Naturally Wild were instructed to undertake a site visit at Fortitude, Witcombe to assess whether there were any changes to the site following an Ecological Appraisal produced by Clarke Webb Ecology Limited in 2019.

The 2019 Ecological Appraisal highlighted that;

- The site was negligible for badgers with no evidence of activity or suitable habitats found on or adjacent to site
- There was no evidence of nesting birds within or upon the log cabin,
- The hedgerows and vegetation that was suitable for use by reptiles,
- The pond was calculated to be of 'poor' suitability for GCN following a HSI assessment,
- The site was unlikely to be used by other species.

A site visit was conducted by [REDACTED] a suitably qualified and experienced ecologist on Monday 10th October 2022, the findings of which are discussed in this letter.

On inspection of the above site, it can be confirmed that there have been no substantial changes from the Ecological Appraisal compiled [REDACTED] (of Clarke Webb Ecology Ltd) on 12th July 2019. There were two notable differences which are outlined below.



Company Registered in England 04059650 – VAT Registration Number 772459010.



THE ECOLOGY EXPERTS

Ecological Consultancy | Education & Training | Media
Specialists to Road, Rail & Developments
3 Halegrove Court
Cygnet Drive
Stockton-on-Tees, TS18 3DB
T: 01642 061541
E: hello@naturallywild.co.uk

The Log Cabin

Bats Suitability

The property was inspected using the Bat Conservation Trust's, 'Bat Surveys for Professional Ecologist'- Good practice guidelines.

The exterior was visually checked and showed at least three potential roosting features (PRF's), two at each gable end where soffit planks had come loose and one in the southeast corner where some guttering had come loose, exposing the roofing felt and providing access to the roof space. The rest of the structure remained concurrent with [REDACTED] 2019 Appraisal.

The interior (including the loft space) was thoroughly checked using a torch. There was no sign of any roosting bats, their droppings or any activity within the building. [REDACTED] interior description remained valid. The roof underlay was examined and appeared to be of the breathable woven polypropylene type. Even though there are some potential roosting features on the property, the presence of the breathable roofing membrane (almost certainly throughout) makes the property unsuitable for bats to use and may in part account for no sign of bats being found within the building. Woven polypropylene membrane is totally unsuitable for bats as it can 'fluff up' and cause entanglement and death.

With the above in mind, we would advise that no further bat risk assessment effort or bat activity survey is required for the property but appropriate mitigation measures should be put in place during demolition of the structure.

The Pond

Great Crested Newts

The pond at the time of the 2022 survey did not have any visible open water. There was a noted difference in the cover of bullrush (*Scirpoides holoschoenus*), with [REDACTED] noting a 66% coverage in 2019 but an increased coverage to approximately 90% observed in 2022.

There was also significant amount of lawn (amenity grass) encroachment to the old pond area resulting in the pond area being reduced to below 50m². That and the absence of fish and waterfowl is a notable change but the overall Habitat Suitability Index score for Great Crested Newts remains categorized as 'poor'. The advice in [REDACTED] 2019 appraisal (section 4.10-4.11) therefore remains valid.



Confidentia
Reporting
for Safety



Fairness, Inclusion
and Respect
in construction



Constructionline
Gold Member





THE ECOLOGY EXPERTS

Ecological Consultancy | Education & Training | Media
 Specialists to Road, Rail & Developments
 3 Halegrove Court
 Cygnet Drive
 Stockton-on-Tees, TS18 3DB
 T: 01642 061541
 E: hello@naturallywild.co.uk

Mitigation and enhancement recommendations:

Following the site assessment and in review of the findings, Naturally Wild would recommend that the measures stated in Section 4 of the Ecological Appraisal produced by Clarke Webb Ecology Ltd be implemented into the works, as well as additional mitigation in relation to bats;

- The log cabin should be demolished using a soft-strip methodology of the roof, fascias, soffits and guttering with each element carefully removed and inspected for any bats. In the unlikely event that any bats are discovered, works should stop immediately, and a licenced and experienced ecologist should be informed and an EPS Mitigation Licence applied for through Natural England.

Site images from the 2022 visit.



Property viewed from the east showing unchanged grazed sward



Loose guttering access to roof space, Potential Bat roost feature



Confidential Reporting for Safety



Company Registered in England 04059650 – VAT Registration Number 772459010.



THE ECOLOGY EXPERTS

Ecological Consultancy | Education & Training | Media
Specialists to Road, Rail & Developments

3 Halegrove Court
Cygnet Drive
Stockton-on-Tees, TS18 3DB
T: 01642 061541
E: hello@naturallywild.co.uk



Woven polypropylene roof membrane



Loose Soffit Boards, Potential Bat Roosting Feature



Pond, showing 90% Bullrush cover, no open water and short, surrounding sward.



Confidential Reporting for Safety



Fairness, Inclusion and Respect in construction



Constructionline Gold Member

