

49/09/0056

MR J LAWREY

**ROOF ALTERATIONS TO AGRICULTURAL BUILDING TO PROVIDE PROTECTED SPECIES' (BATS) ACCOMMODATION IN CONNECTION WITH CONVERSION OF BARN TO DWELLING (THE GRANARY) AT FOOTLANDS FARM, FORD, WIVELISCOMBE**

308906.128756

Full Planning Permission

---

**PROPOSAL**

The proposal comprises the replacement of an existing corrugated iron monopitch roof with a gabled roof. The new structure would be clad with rough sawn timber weather boarding, and roofed with profiled sheet. The intention is to provide accommodation for bats which would potentially be displaced when the adjacent farm buildings are converted to dwelling-houses.

The application is presented to Committee because the agent is related to a member of staff.

**SITE DESCRIPTION AND HISTORY**

The building is a relatively modern timber framed structure which is used as a tractor shed in connection with Footlands Farm, and although the farmhouse is a listed building, listed building consent is not required in this particular instance because of the age of the building.

Planning permission was granted for the conversion of each of the adjacent barns "The Granary" and "Riley's Byre" to dwellings, in December 2008, references 49/08/0059 and 49/08/0060 respectively.

Current planning application 49/09/0054, and listed building application 49/09/0055/LB, relating to amendments to the conversion of "The Granary", are pending.

**CONSULTATION AND REPRESENTATION RESPONSES**

**Consultees**

*SCC - TRANSPORT DEVELOPMENT GROUP* - No observations.

*WIVELISCOMBE PARISH COUNCIL* - Supports local industry

*CONSERVATION OFFICERS* -No observations.

*NATURE CONSERVATION & RESERVES OFFICERS* - In principle, subject to the views of Natural England and the applicant's consultant, I have no objections to the provision of a new bat roost over the existing tractor store instead of the proposed garage as approved in the previous application. However, the mitigation proposed with this application does not have the same level of detail as it does in the previous application. For example it is not clear from the drawings how the bats will access the roost. Will a loft hatch be provided to provide access for bat workers? There are no additional bat boxes proposed. Is the new roost adjacent to bat flight routes?

There is no provision for the enhancement of the site for breeding birds, in particular sparrows. An ecologist should have an input in the design of the new bat

roost. I suggest the following condition:

The development hereby permitted shall not be commenced until details of a strategy to protect bats has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the submitted drawings and advice provided in Acorn Ecology Ltd's submitted mitigation report, dated 31 January 2008 and include:

- Details of protective measures to include method statements to avoid impacts on bats and breeding birds during all stages of development;
- Details of the timing of works to avoid periods of work when the bats and breeding birds could be harmed by disturbance;
- Measures for the retention and replacement and enhancement of places of rest for bats and breeding birds.

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for bats and birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bat roost and bird boxes and related accesses has been fully implemented.

Reason: To protect bats and breeding birds and their habitats from damage in accordance with PPS9.

### **Representations**

None received

### **PLANNING POLICIES**

S1 - TDBCLP - General Requirements,

S2 - TDBCLP - Design,

EN4 - TDBCLP -Wildlife in Buildings to be Converted or Demolished,

EN3 - TDBCLP - Local Wildlife and Geological Interests,

### **DETERMINING ISSUES AND CONSIDERATIONS**

The introduction of a gabled roof with additional timber boarding to this modest building of no architectural significance, would enhance both its appearance and visual amenity. Furthermore the setting of the listed building would not be adversely affected, and the building would enable the provision of much needed accommodation for bats.

The proposal is considered acceptable.

### **RECOMMENDATION AND REASON(S)**

Recommended Decision: Conditional Approval

The proposal is considered not to have a detrimental impact upon visual amenity, and would provide accommodation for bats. Accordingly, the proposal is considered acceptable, would not conflict with Taunton Deane Local Plan Policies S1 (General Requirements) and S2 (Design), and would comply with PPS-"Biodiversity and Geological Conservation".

## **RECOMMENDED CONDITION(S) (if applicable)**

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be completed prior to work first commencing on the conversion of either Riley's Byre or the Granary to a dwelling.

Reason: Conversion of either of these two barns is likely to lead to the displacement of bats. The proposal hereby permitted will therefore provide accommodation for this protected species, bearing in mind that bats are protected by law and in accordance with PPS9.

3. The development hereby permitted shall not be commenced until details of a strategy to protect bats has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the submitted drawings and advice provided in Acorn Ecology Ltd's submitted mitigation report, dated 31 January 2008 and include:

- Details of protective measures to include method statements to avoid impacts on bats and breeding birds during all stages of development;
- Details of the timing of works to avoid periods of work when the bats and breeding birds could be harmed by disturbance;
- Measures for the retention and replacement and enhancement of places of rest for bats and breeding birds.

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for bats and birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bat roost and bird boxes and related accesses has been fully implemented.

Reason: To protect bats and breeding birds and their habitats from damage in accordance with PPS9.

### Notes for compliance

1. The condition relating to wildlife requires the submission of information to protect the species. The Local Planning Authority will expect to see a detailed method statement clearly stating how the bats and breeding birds will be protected through the development process and to be provided with a mitigation proposal that will maintain favourable status for the bats and breeding birds that are affected by this development proposal. It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any

activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.

2. Bats are known to use the building(s) as identified in submitted reports. The species concerned are European Protected Species within the meaning of the Conservation (Natural Habitats &c) Regulations 1994 (as amended 2007). Where the local population of European Protected Species may be affected in a development, a licence must be obtained from Natural England in accordance with Regulation 44 (3) (b) of the above regulations. NE requires that the Local Planning Authority must be satisfied that derogation from the Habitats Directive is justified prior to issuing such a licence.

Bat Boxes and Sparrow nest boxes are available from Alana Ecology Tel: 01588 630173 - [www.alanaecology.com](http://www.alanaecology.com).

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1988.**

**CONTACT OFFICER: Mr J Grant Tel: 01823 356465**