

Ron White/PL/NorthLincs

28/05/2008 08:36

To planning@northlincs.gov.uk

cc

bcc

Subject Fw: Planning Permission to carry out alterations and extensions, including alterations to roof, to provide sun room, detached double garage and 4 bedrooms at first floor level Willow Tree Lodge, pasture Road North, Barton upon Humber, DN18 5RB

----- Forwarded by Ron White/PL/NorthLincs on 28/05/2008 08:37 -----

Bob Dawson/PL/NorthLincs

27/05/2008 15:32

To Ron White/PL/NorthLincs@NorthLincs

cc Andrew Taylor/PL/NorthLincs@NorthLincs, Ian Goldthorpe/PL/NorthLincs@NorthLincs, Tim Allen/PL/NorthLincs@NorthLincs

Subject Planning Permission to carry out alterations and extensions, including alterations to roof, to provide sun room, detached double garage and 4 bedrooms at first floor level Willow Tree Lodge, pasture Road North, Barton upon Humber, DN18 5RB

Ron

Response attached. Please ask if there is anything further I can help with.

Bob

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HIGHWAYS AND PLANNING
ENVIRONMENT TEAM

I N T E R

MEMO



O F F I C E

To: Ron White, Development Control

From: Bob Dawson, Environment Team

Our Ref: BD/CG

Your Ref: PA/2008/0557

Date: 27th May 2008

Planning Permission to carry out alterations and extensions, including alterations to roof, to provide sun room, detached double garage and 4 bedrooms at first floor level Willow Tree Lodge, pasture Road North, Barton upon Humber, DN18 5RB

Thank you for consulting the Environment Team with regard to the above application. I have had the opportunity to consider the application and consider the protected species survey report by Protected Species Projects Ltd (PSPL) of the 16th May 2008.

The report requests "that if a planning consent is granted, a legal bat protection condition is put in place to ensure no work is carried out to the roof, within the roof space or any of the soffit boxes/boards attached to the property until such a time when the roost type can be identified and a subsequent mitigation statement and appropriate advice or licensing is provided by the statutory government body Natural England." I know that the agent has said such a condition would be acceptable and asked that if such a condition is imposed they would wish to start on other works such as the ground floor extension. I very much sympathise with this request. It would look most unlikely, for example, that the proposed new garage would have any impact at all. Unfortunately, there has been a legal precedent set in a case such as this which indicates that the Local Authority should **REFUSE** permission until the detail of the impact on bats has been fully resolved. The case is known as the "Cornwall case" – R.V. Cornwall C.C. ex parte Hardy.

Policy LC5 of the North Lincolnshire Local Plan also says in terms of Species Protection that where development is permitted conditions will be considered that will facilitate survival of members of the species, reduce disturbance to a minimum and provide adequate alternative habitats. Without the results of the survey, which the report suggests should be completed in early June it is unfortunately not possible to say what the success or otherwise of the condition would be.

I am sorry that my views may disappoint the applicant, however, the positive news is that the survey could be completed shortly and I hope the Environment Team can offer advice at that point, which may facilitate the development and protect the bats.

There are other potential impacts of this development in terms of the adjacent Ramsar site and Special Protection Area (SPA) of the Humber. These are sites that have special protection in law and the Council will need to assess the following in relation to this application. How is sewage to be dealt with? What levels of noise will result during and after the development? and what will the impact of any changes of lighting be on the SPA (as well as upon bats)? I am sure the agent will be able to provide these details very readily. The sooner we have the information then the sooner the Council will be able to assess the significance of these potential impacts. I am sorry if these requirements may seem onerous, but the site is in a potentially sensitive location.

If you have any questions about my comments, please do not hesitate to ask me further.

Bob Dawson
Countryside Project Officer