

TO: CONSERVATION MANAGER
FROM: DEVELOPMENT MANAGEMENT

H26



PFM Record
**Herefordshire
Council**

APPLICATION DETAILS

APPLICATION NO: N121452/F
DESCRIPTION: Proposed replacement of extant planning permission DCNW2008/1741/F - proposed conversion into nine apartments, including stair tower.
SITE: Old Wesleyan Chapel, Harp Yard, Kington, Hereford, HR5 3BJ
APPLICATION TYPE: Planning Permission
PARISH: Kington
GRID REF: OS 329650, 256576
CASE OFFICER: Mr P Mullineux

Ecology comments

I have visited the site and received the ecological report by Just Mammals dated June 2012. I note the presence of soprano and common pipistrelle bats roosting in the building and also the presence of swifts. The proposed mitigation measures for these species are appropriate.

If European Protected Species are present on a development site, the Local Planning Authority must establish whether the three tests have been met prior to determining this application. If the Wildlife Licensing Unit at Natural England is also happy that these Tests have been satisfied, then an EPS development licence can be granted.

The three tests that must be satisfied are:

1. That the development is "in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment".
2. That there is "no satisfactory alternative"
3. That the derogation is "not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range"

If this application is to be approved, I recommend the inclusion of the following **conditions**:

The recommendations set out in the ecologist's report dated June 2012 should be followed in relation to the identified protected species [bats, great crested newts etc], unless otherwise agreed in writing by the local planning authority. Prior to commencement of the development, a full working method statement should be submitted to and be approved in writing by the local planning authority, and the work shall be implemented as approved.

An appropriately qualified and experienced ecological clerk of works should be appointed (or consultant engaged in that capacity) to oversee the ecological mitigation work.

Reasons:

To ensure that all species are protected having regard to the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 and Policies NC1, NC6 and NC7 of the Herefordshire Unitary Development Plan.

To comply with Policies NC8 and NC9 of Herefordshire's Unitary Development Plan in relation to Nature Conservation and Biodiversity and to meet the requirements of the NPPF and the NERC Act 2006

Signed: Bridgit Symons, Senior Ecologist

Date: 17th July 2012