

**From:** Andrew Troughton <[andrewtroughton@carverknowles.co.uk](mailto:andrewtroughton@carverknowles.co.uk)>

**Sent:** 23 April 2021 08:05

**To:** Morgan, Elsie <[Elsie.Morgan@herefordshire.gov.uk](mailto:Elsie.Morgan@herefordshire.gov.uk)>

**Subject:** FW: Ecology Comments - Bollitree Castle (203336)

This message originated from outside of Herefordshire Council or Hoople. Please do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Elsie

I have now considered the note from Juliet Moxon.

Specifically in relation to the Memorandum:

**Surface water**

We will prepare a sustainable solution and submit this shortly.

**Separation of the site's planning applications.**

We are not dealing with or aware of the other applications. We dealt with the farm frack which does relate to this application. We believe that the surface water plan should be sufficient drainage details. There is no foul drainage and this application of for a new field entrance.

**Ecology at the site.**

In terms of the ecology:

**Protected bat species** – The site has no trees or structures so there will be no bat roosting areas. I do not believe they next on the ground. No trees are being removed. There are likely to be bats in trees and structures nearby but the development will not effect these. It is therefore considered that a bat survey would not be necessary.

**Nesting birds** – Likewise there are no trees for birds to nest in and the ground has no cover for ground nesting birds. Ground nesting birds also avoid field boundaries as predators (foxes etc) travel along them. They would favour in field sites.

**Great Crested Newts** - The surface of the area is bare open land which has been cleared as part of the overall scheme. This would not be suitable habitats for newts and therefore a newt survey is considered un-necessary.

**Damage to Historic hedgerows** – There is no hedge where the entrance is proposed. That was one of the criteria for selecting this location. (The other being that there was a natural dip in the levels)

Taking these points into account I do not believe an ecology survey will serve any useful purpose. Nearby trees will not be effected and more trees have been planted nearby enhancing the biodiversity. Nearby structures (White Hall to the south) will not be effected. This application is for a triangular shaped bell mouth entrance and a short section of track. It would seem more beneficial if ecological enhancement was undertaken in the form of bat/bird boxes. There are no trees on the site area but these could be installed on the wider site within the applicants ownership. I would propose say 5 x 2F Schwegler bat boxes and 5 x 1b Schwegler bird boxes.

The client's contractor is fully aware of all protected species and will continue to follow best practice to avoid any risk to protected species.

We agree with the sentiment of the consultee and considerable enhancement is being undertaken. This application is however for a replacement field entrance and its impact is minimal. There is therefore a need to be proportional and relate the considerations to the application being considered.

Please can you confirm if the above approach is acceptable?

Kind regards

Andrew

**Andrew Troughton** BSc (Hons) MRICS FAAV  
Carver Knowles  
Strensham Business Park  
Strensham  
Worcestershire  
WR8 9JZ

Tel: 01684 853400  
DDI: 01684 853406  
Mob: 07776 228338  
Email: [andrewtroughton@carverknowles.co.uk](mailto:andrewtroughton@carverknowles.co.uk)  
Web: [www.carverknowles.co.uk](http://www.carverknowles.co.uk)

<image004.jpg>

View the latest edition of the [Landmark Newsletter](#)

Like us on [Facebook](#)

Follow us on twitter [@CarverKnowlesUK](#)

AST Land Agents Limited registered in England (No 8227538) trading as Carver Knowles

Registered office: 11 Strensham Business Park Strensham Worcester WR8 9JZ  
VAT registration: GB 142 9332 21

This Email and any attachments are intended for the addressee only.  
If you are not one of the intended recipients please notify the sender immediately and destroy this email. You must not disclose, copy or take any action in reliance of this transmission. This Email and any attachments are believed to be free from viruses but it is your responsibility to carry out all necessary virus checks. AST Land Agents Limited accepts no liability in respect of viruses or computer problems experienced.

**From:** Morgan, Elsie <[Elsie.Morgan@herefordshire.gov.uk](mailto:Elsie.Morgan@herefordshire.gov.uk)>  
**Sent:** 20 April 2021 11:02  
**To:** Andrew Troughton <[andrewtroughton@carverknowles.co.uk](mailto:andrewtroughton@carverknowles.co.uk)>  
**Subject:** RE: Ecology Comments - Bollitree Castle (203336)

Dear Mr Troughton

Again I apologise for the delay in consultation response, as previously mentioned the Ecology Team are dealing with a significant backlog of applications at present.

The consultation response does note a number of previous applications which are not directly relevant to this current application, this is why I sought clarification from the Ecologist as you may recall, I agreed that there was some elements of the comments that

were not entirely relevant or applicable to the scheme. The protected species in the area are recorded to include bats and great crested newts which the LPA have a legal Duty of Care to ensure they are considered part of the planning process. As such further information regarding the potential impact of the development upon these is requested. As you will not in the consultation response: *"Ecology welcome comments, reasonable explanation to any omitted information and, if necessary, direction to the relevant information submitted to address the above comments"* Therefore, if there is an in date ecology survey relevant to the site from a previous application with supporting comment to relate to this proposal, or some further comment of reasonable explanation to show why this is not included, would be acceptable.

The drainage strategy required would relate only to surface water, I believe there is some confusion as the Ecologist refers to the Core Strategy's 'Foul and Surface Water' policies inclusive.

I do appreciate your frustrations, hence my need for clarification on the comments provided, however there is a requirement for the protected species in the area to be taken into consideration as well as surface water drainage.

Kind regards

Elsie

<image007.png>

<image008.png>

Elsie Morgan  
Economy and Place Directorate  
Planning Officer  
01432 260760

Plough Lane  
Hereford  
HR4 0LE

Please note I do not work Fridays.

[elsie.morgan@herefordshire.gov.uk](mailto:elsie.morgan@herefordshire.gov.uk)

General Planning Enquiries : [planningenquiries@herefordshire.gov.uk](mailto:planningenquiries@herefordshire.gov.uk)

<image009.jpg>

**Please consider the environment - Do you really need to print this E-Mail?**

Any opinion expressed in this e-mail or any attached files are those of the individual and not necessarily those of Herefordshire Council. This e-mail and any files transmitted with it are confidential and intended solely for the use of the addressee. This communication may contain material protected by law from being passed on. If you are not the intended recipient and have received this e-mail in error, you are advised that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please contact the sender immediately and destroy all copies of it.

**From:** Andrew Troughton <[andrewtroughton@carverknowles.co.uk](mailto:andrewtroughton@carverknowles.co.uk)>

**Sent:** 20 April 2021 10:35

**To:** Morgan, Elsie <[Elsie.Morgan@herefordshire.gov.uk](mailto:Elsie.Morgan@herefordshire.gov.uk)>

**Subject:** FW: Ecology Comments - Bollitree Castle (203336)

This message originated from outside of Herefordshire Council or Hoople. Please do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Elsie

Thanks for you email.

There are a number of issues that the consultee comments raise. These questions are:

1. Why is this consultation and request for further detail arriving on the 19<sup>th</sup> April, about 6 months late?
2. Why does the site need to have a foul drainage strategy? There is no foul drainage. It is an entrance to a field.
3. Why is application 202181 relevant when it is about 450 metres from this field entrance. The consultation suggests any new survey should somehow link back to this site 450 metres away.
4. Why is there considered to be potential for bat roosting when there are no trees or other suitable structures? We would not normally expect to do a bat survey where there are no bats habitat. Bats are obviously all over the country and not every application needs a bat survey.
5. Where at the ecology comments for application 201968 (the farm track)? I am not aware of any previous comments and there are none on the council's web site tied to this application.
6. Why does the consultation refer to potential damage to the historic hedge when the entrance has been deliberately placed in a natural gap in the hedge?
7. Has the consultee been to the site? There are no trees and little or no vegetation.

I do feel that these requests are disproportional to the application and it is incredible that they are arriving 6 months late. This is the entrance to a field that many farmers would just have constructed. My clients are now being punished by trying to go about this in the correct manner. This does not make for good planning.

The clients are more than happy to provide bat and bird mitigation measures and these can be detailed. They are also happy to provide a surface water drainage scheme which will be detailed. It does however seem unreasonable to, after 6 months, start requesting ecology surveys where they are clearly not needed. The assessment for an ecology survey should be based on the presence of suitable habitat/environment. I would always like to think that common sense is allowed to inform and sit alongside planning policy. I would like to try and get some back into this application.

Ideally I would meet the officer on site to discuss the above and agree a way forward. If they are unwilling or unable to meet then a telephone call will have to suffice. Obviously we need to make urgent progress. I am out not until 3.00 but will try calling when I get back to the office.

Kind regards

Andrew

**Andrew Troughton** BSc (Hons) MRICS FAAV

Carver Knowles  
Strensham Business Park  
Strensham  
Worcestershire  
WR8 9JZ

Tel: 01684 853400

DDI: 01684 853406

Mob: 07776 228338

Email: [andrewtroughton@carverknowles.co.uk](mailto:andrewtroughton@carverknowles.co.uk)

Web: [www.carverknowles.co.uk](http://www.carverknowles.co.uk)

<image004.jpg>

View the latest edition of the [Landmark Newsletter](#)

Like us on [Facebook](#)

Follow us on twitter [@CarverKnowlesUK](#)

AST Land Agents Limited registered in England (No 8227538) trading as Carver Knowles

Registered office: 11 Strensham Business Park Strensham Worcester WR8 9JZ

VAT registration: GB 142 9332 21

This Email and any attachments are intended for the addressee only.

If you are not one of the intended recipients please notify the sender immediately and destroy this email. You must not disclose, copy or take any action in reliance of this transmission. This Email and any attachments are believed to be free from viruses but it is your responsibility to carry out all necessary virus checks. AST Land Agents Limited accepts no liability in respect of viruses or computer problems experienced.

**From:** Morgan, Elsie <[Elsie.Morgan@herefordshire.gov.uk](mailto:Elsie.Morgan@herefordshire.gov.uk)>

**Sent:** 19 April 2021 15:26

**To:** Andrew Troughton <[andrewtroughton@carverknowles.co.uk](mailto:andrewtroughton@carverknowles.co.uk)>

**Subject:** Ecology Comments - Bollitree Castle (203336)

Good Afternoon Mr Troughton

Please find attached the Ecologist's comments for the new entrance at Bolitree Castle.  
Further information is required in relation to the protected species in the locale, as detailed in the document. If this could be returned for re-consultation, it would be most appreciated.

Kind regards

Elsie

<image010.png>

<image011.png>

Elsie Morgan  
Economy and Place Directorate  
Planning Officer  
01432 260760

Plough Lane  
Hereford  
HR4 0LE

Please note I do not work Fridays.

[elsie.morgan@herefordshire.gov.uk](mailto:elsie.morgan@herefordshire.gov.uk)

General Planning Enquiries : [planningenquiries@herefordshire.gov.uk](mailto:planningenquiries@herefordshire.gov.uk)

<image009.jpg>

Please consider the environment - Do you really need to print this E-Mail?

Any opinion expressed in this e-mail or any attached files are those of the individual and not necessarily those of Herefordshire Council. This e-mail and any files transmitted with it are confidential and intended solely for the use of the addressee. This communication may contain material protected by law from being passed on. If you are not the intended recipient and have received this e-mail in error, you are advised that any use, dissemination, forwarding, printing or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please contact the sender immediately and destroy all copies of it.