

**From:** Oliver Rider <[oliver@zestaplanning.co.uk](mailto:oliver@zestaplanning.co.uk)>  
**Sent:** 12 July 2021 13:43  
**To:** Carlisle, Heather <[Heather.Carlisle@herefordshire.gov.uk](mailto:Heather.Carlisle@herefordshire.gov.uk)>  
**Subject:** P202391 - Riverside Flats, Wye Street, Ross on Wye

Dear Heather

I have been appointed to lodge a written representation appeal against the refusal of planning permission for the above-mentioned development earlier this year.

Refusal Reason 5 on the Council's Decision Notice states:

*"In the absence of an up-to-date detailed ecological survey as requested including any identified optimum period survey requirements, the Local Planning Authority is unable to assess the potential impact upon protected species, in particular bat species. The proposal is therefore contrary to policy LD2 of the Herefordshire Local Plan – Core Strategy, paragraph 99 of circular 06/2005 and the relevant aims and objectives of the National Planning Policy Framework 2019".*

Within your report to Committee, you explained that the 2015 ecological survey, which confirmed the presence of a minor lesser horseshoe bat roost, was out of date and that an updated survey was required. You acknowledged within your report that the applicant was content to provide an updated assessment but that could not have happened at the time of the refusal as it was out of season.

We are now within bat season and I am therefore able to provide an updated Ecological Appraisal, which was undertaken during June 2021 by Clarke Webb Ecology Ltd. The updated survey work similarly confirms the minor presence of bats and includes a Bat Mitigation Strategy to address this. This includes the provision of a 'bat cellar' on the ground floor at the southern end of the building. Full details of this are set out in Appendix 1 of the Ecological Appraisal. There will also be a need for a Bat Licence from Natural England but that is a different process, as you know.

It would obviously be better for all concerned if the Council would consult now with its appointed ecologist to review the updated Ecological Appraisal with a view to confirming its acceptability. This will save us all time at the appeal if both parties are able to confirm that this matter is now adequately addressed, without abortive time being taken up providing evidence on this matter. Would you agree?

In the unlikely event that the Council requires any changes to the Mitigation Strategy, my understanding is that this could be adequately addressed by means of pre-commencement planning conditions.

I would be grateful if you would confirm that you will consult with your ecologist on this, and I look forward to receiving that feedback. In any event, we will be submitting the updated Ecology Appraisal with the appeal.

Please feel free to give me a call if you would like to discuss further.

Kind regards  
Oliver Rider



**Oliver Rider** MSc MRTPI

Director

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