

From: Jones, Ollie
Sent: 30 August 2019 11:32
To: bde@bernardeacock.com
Subject: 192569 - Chanstone Mill, Vowchurch

Dear Mr Eacock,

Thank you for the submission of the above application. I can confirm that I have visited the site and that the consultation period is due to end on 12th September.

I write by way of an update and to inform you of the consultation responses received to date.

Ecology – object to the application and raise the follow points.

The site falls within the River Wye SSSI catchment Impact Zone and **River Dore SWS**. **Natural England** will be a statutory consultee as part of this application PRIOR to any planning consent being granted.

The LPA has a duty of care to ensure all protected species and wider biodiversity are fully considered during the planning application process. The proposed site is located within **Priority Habitat** Ref 115429 Deciduous Woodland.

No discharge of any foul water or outfall from any foul water treatment system within 50m of the SWS/Priority Habitat boundary would be acceptable. Any loss or detrimental impact on these designations is contrary to Conservation of Habitats and Species Regulations, NPPF, NERC Act and Core Strategy LD1-3, SD3, SD4 (and retained supplementary planning documents).

The sites southern boundary is indicated as approximately 200m of river side habitat. The River Dore SWS is known to support **Otters** and the change of use from workshop/store to holiday let has potential to increase disturbance to otters through increased human disturbance, disturbance from noise, light and risk from dogs brought onto site. Distance to bats and other protected species using the site may be impacted by increased disturbance.

The adjacent area is recognised as being important for many legally protected species including bat species notable the **rare Lesser Horseshoe bat, barn owl, kingfisher, swift** [REDACTED].

Based on this there is an Ecology OBJECTION is raised to this application and proposed development. The applicant and their contractors have their own legal duty of care towards wildlife protection under UK Legislation. Any breach of this legal Duty of Care would be a criminal offence.

The Eurasian otter is the only native UK otter species. It's fully protected as a European protected species (EPS) and is also protected under sections 9 and 11 of the Wildlife and Countryside Act 1981.

You're breaking the law if you:

- capture, kill, disturb or injure otters (on purpose or by not taking enough care)
- damage or destroy a breeding or resting place (deliberately or by not taking enough care)
- obstruct access to their resting or sheltering places (deliberately or by not taking enough care)
- possess, sell, control or transport live or dead otters, or parts of otters

With regards to surmounting the issues raised, I have met with the Ecologist to discuss the matters. Firstly, we not aware that proper 'earth closet toilets' are suitable for emptying in to a septic tank as they are usually designed so that material produced is composted? Would you be able to provide more information in this regard? In order to satisfy Core Strategy Policy SD4 we need more details on foul water management + how dirty and potentially phosphate containing water from the kitchen, hand washing, showers, baths etc will be managed with all soakaways at least 50m from the river bank. It may be a requirement that this be pumped off site in a westerly direction away from the site? If you do intend to connect to the septic tank then we would be requiring a professional confirmation of being 2020 regulations compliant and with sufficient capacity.

Parking area proposed is within Priority Habitat – deciduous woodland and formal; recreational use may impact protected species utilising the river so we would want an ecology/tree survey and an impact mitigation plan (eg how will dogs running loose, people disturbing riverside etc be managed?)

Transport – Proposal is considered acceptable subject to conditions securing parking and secured cycle parking provision.

Archaeology – No objections

Welsh Water – No comments

Historic Environment – No comments

Vowchurch and District PC – No objection.

I note that some consultation responses remain outstanding and I will therefore update you in the event of additional action being required.

Please could you let me know as soon as possible, no later than Thursday 5th September a) if you intent to submit the requested information and b) if so, likely time frames for doing so.

I look forward to hearing from you in due course.

Kind regards,

Ollie

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