

WEST OXFORDSHIRE DISTRICT COUNCIL
LOWLANDS AREA PLANNING SUB-COMMITTEE

Date: 9th November 2020

Report of Additional Representations



Agenda Index

19/03478/FUL	Lords Farm, 2 Queen Street, Eynsham	2
19/03479/LBC	Lords Farm, 2 Queen Street, Eynsham	5

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Application Number	19/03478/FUL
Site Address	Lords Farm 2 Queen Street Eynsham Witney Oxfordshire, OX29 4HQ
Date	28th October 2020
Officer	Stuart McIver
Officer Recommendations	Approve
Parish	Eynsham Parish Council
Grid Reference	443462 E 209271 N
Committee Date	9th November 2020

Application Details:

Conversion of existing two storey stone barn into a two bedroom dwelling with single storey link extension and associated private amenity space.

Applicant Details:

Mrs Debbie Dance, Oxford Preservation Trust, 10 Turn Again Lane, Oxford, OX1 1QL

Additional Representations:

The following amended plans were received on 22nd October and are available to view through the Council's website:

P.1354_084_A_PROPOSED ROOF PLAN

P.1354_085_A_PROPOSED SECTIONS A TO D

P.1354_086_A_PROPOSED SECTIONS AND ELEVATIONS E TO G

Additional condition regarding the treatment of timbers:

Condition: Prior to any works taking place, the Local Planning Authority will require a full survey of the existing historic timbers, undertaken by a suitably qualified structural engineer, and a schedule of works for any insect / fungal treatment of timbers. This shall be reviewed and approved in writing by the Local Planning Authority before work commences.

REASON: To safeguard the historic fabric, character and appearance of the area.

Additional biodiversity comments and conditions regarding amended plans received 22nd October:

Following on from my previous response, I have reviewed the amended details and architectural plans (drawing no. P.1354_084, P.1354_085 and P.1354_086). I have the following comments with recommendations for conditions and an informative.

Bats

The ecology report confirms the presence of a soprano pipistrelle day roost within Lords Farm Barn. Mitigation measures are recommended within section 4 of the report and this includes the provision of 3 no. roof line bat access slates. Bat boxes will also be mounted onto suitable, mature trees on site prior to the commencement of the works. These measures are considered

satisfactory. Architectural drawings (drawing no. P.1354_084, P.1354_085 and P.1354_086) have been submitted to detail the 3 no. bat access slates and the drawings are considered satisfactory.

Given that the soprano pipistrelle is a common and widespread species within the UK and that day roosts are of low conservation importance, the proposal is unlikely to cause significant harm to the bat species. I therefore consider that the favourable conservation status will be maintained at a local level, providing the full implementation of the mitigation measures outlined within section 4 of the report. The consideration of the 3 derogation tests should therefore not be overly onerous as the proposed works are unlikely to have a significant impact on the bat species present. The 3 derogation tests are likely to be met in this case.

I recommend that a sensitive external lighting strategy is prepared to ensure that the roosting features and surrounding vegetation are not illuminated by the external lighting. The details of the external lighting should be submitted to the LPA as a condition of planning consent.

Birds

I previously requested for compensatory features for tawny owls to be provided, including a tawny owl box. However, through further correspondence, I understands that this was not possible and therefore I recommended for the scheme to include alternative biodiversity enhancements to ensure that there is no loss of biodiversity on site. I consider the provision of 1 no. house sparrow terrace, 2 no. small bird nest boxes and 3 no. starling nest boxes to be sufficient. The locations of these features are also satisfactory. However, the specific designs of the nest boxes have not yet been detailed. Therefore these additional details, alongside the architectural plans, can be submitted to the LPA as a condition of planning consent.

I therefore recommend the following conditions and informative.

Conditions

- a) *The development shall be completed in accordance with the recommendations in Section 4 of the Bat Survey report, dated 28th September 2020, prepared by GS Ecology, as submitted with the planning application. All the recommendations shall be implemented in full according to the specified timescales, as modified by a relevant European Protected Species Licence, unless otherwise agreed in writing by the local planning authority, and thereafter permanently retained.*

REASON: To ensure that the bats and birds are protected in accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular Chapter 15), Policy EH3 of the West Oxfordshire Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

- b) *Before occupation, details of the provision of nesting opportunities for birds (e.g. 1 no. house sparrow terrace, 3 no. starling boxes and 2 no. 'small nest boxes' on the north or east-facing elevations) mounted onto the walls of the buildings shall be submitted to the local planning authority for approval. The details shall include the specific designs of the nesting features to be implemented, alongside the approved architectural plans (drawing no. P.1354_084, P.1354_085 and P.1354_086) and a timetable for their provision. The approved details shall be implemented before the dwelling/s hereby approved is/are first occupied and thereafter permanently retained.*

REASON: To provide additional roosting for bats and nesting birds as a biodiversity enhancement in accordance with paragraphs 170, 174 and 175 of the National Planning

Policy Framework, Policy EH3 of the West Oxfordshire Local Plan 2031 and Section 40 of the Natural Environment and Rural Communities Act 2006.

- c) *Before occupation, details of external lighting shall be submitted to and approved in writing by the local planning authority. The details shall show how and where external lighting will be installed (including the type of lighting), so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bat species using their territory or having access to any roosts and that light spillage into wildlife corridors will be minimised as much as possible.*

All external lighting shall be installed in accordance with the specifications and locations set out in the approved details, and these shall be maintained thereafter in accordance with these details. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To protect roosting, foraging and commuting bats in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), Circular 06/2005, the National Planning Policy Framework (in particular Chapter 15), Policy EH3 of the West Oxfordshire Local Plan 2031 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

Informative

Please note that this consent does not override the statutory protection afforded to species protected under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended), or any other relevant legislation such as the Wild Mammals Act 1996 and Protection of Badgers Act 1992.

All British bat species are protected under The Conservation of Habitats and Species Regulations 2017 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their roost features, whether occupied or not. A derogation licence from Natural England would be required before any works affecting bats or their roosts are carried out.

Where the presence of roosting bats have been confirmed, updated surveys are required if the period of time between the survey and commencement of development extends more than 12 months. Updated surveys are required to identify any changes to the bat roosting status on site.

All British birds (while nesting, building nests, sitting on eggs and feeding chicks), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. Works that will impact upon active birds' nests should be undertaken outside the breeding season to ensure their protection, i.e. works should only be undertaken between August and February, or only after the chicks have fledged from the nest.

In the event that your proposals could potentially affect a protected species, or if evidence of protected species is found during works, then you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works (with regard to bats).

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