
From: Johnston, Christopher
Sent: 06 February 2018 15:07
To: Planning Comments (SMDC)
Subject: FW: SMD/2017/0707 - Highfields, Leek. 4 houses

From: Swithenbank, Arne
Sent: 06 February 2018 11:33
To: Johnston, Christopher
Subject: RE: SMD/2017/0707 - Highfields, Leek. 4 houses

Chris,

Thank you for confirming that the lean-to is being demolished but that the old brick walls where remaining are being "improved". I think we should clarify that doesn't mean being re-built as that would defeat any point in terms of heritage at least. I would hope it simply means stabilising and re-pointing as necessary. If they were to be demolished and re-built I would want ecology assessment.

Regarding the demolition of the lean-to the following informatives will suffice:

1) Based on the applicant's submitted ecology statement it is judged unlikely that Bats will utilise the lean-to which is to be demolished as a place of rest or shelter. However bats are protected by law and in the event that bats or bat droppings are encountered during the development work, all operations should be immediately ceased and advice obtained from an ecologically qualified bat specialist. Work should then continue only in accordance with the specialist advice obtained and with due reference to the law including the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981.

2) The applicant's submitted ecology statement confirmed bird nesting to have taken place in the lean-to that is to be demolished. All wild birds including their nests and eggs are protected by law. It is an offence, with certain exceptions, to kill, injure or take wild birds or to take, damage, or destroy their nests or take or destroy their eggs. Site clearance and/or demolition cannot therefore take place where there are birds nesting. Typically this will be in the period mid February to mid August. As this development involves vegetation clearance and/or demolition and/or other activities which would be damaging to any nesting birds present the work should avoid the bird nesting season so far as possible. If such work is to take place in the nesting season an ecologist experienced in bird nesting habits should first be engaged to advise on and ensure that the intended work can legally take place.

Regarding the need to ensure that the wider development of the site can take place with appropriate proportionate safeguard to biodiversity – in the absence of an up-front preliminary ecological survey – I suggest the following.

Firstly in respect of badgers:

Prior to the commencement of any site work whatsoever including site clearance and site worker establishment a survey of the site and immediate environs shall be undertaken by an ecologically qualified person suitably experienced in surveying for badgers in relation to development proposals in order to ascertain if there is any badger activity on the site or within such proximity that could be affected by the proposals. The survey shall be undertaken within six months prior to any site work commencing (including clearance and site establishment) and the survey results shall be submitted to the LPA. Development including site establishment and site clearance shall then only proceed in accordance with any further mitigation measures found necessary as a result of the survey and which have been approved and agreed in writing by the LPA..

Reason – to ensure appropriate safeguard for protected species.

In respect of Great Crested Newts:

Any application for reserved matters shall be accompanied by an assessment of the potential for Great Crested Newts to be affected by the proposed development and to set out any necessary mitigation measures by which it will be ensured that any risk of threat to Great Crested Newt populations is minimised to the satisfaction of the Local Planning Authority through the period of site preparation and construction. The programme of measures shall be implemented in the sequence and form approved in writing by the Local Planning Authority. The assessment and any recommended mitigation measures shall be carried out by an ecologically qualified person suitably experienced in surveying for Great Crested Newts in relation to development proposals.

Reason – to ensure appropriate safeguard for protected species.

Thanks

Arne

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From: Johnston, Christopher
Sent: 06 February 2018 10:33
To: Swithenbank, Arne
Subject: RE: SMD/2017/0707 - Highfields, Leek. 4 houses
Importance: High

Arne

As shown on the site plan, the lean to is to be removed and the historic walls enclosing the garden to be retained and “improved” (I have recommended a condition requiring exact details of the proposed improvements).

As the report has to be complete by tomorrow lunchtime I would be grateful for any additional comments as soon as possible.

Thanks

Chris

From: Swithenbank, Arne
Sent: 05 February 2018 15:47
To: Johnston, Christopher
Cc: Haywood, Ben; Preece, Mark
Subject: RE: SMD/2017/0707 - Highfields, Leek. 4 houses

Chris – thank you for this from Friday.

The app is described as an outline for erection of 4 dwellings.

The application is accompanied by a bat and bird nesting survey, opening sentence as follows: “An inspection and building survey for bats was requested by Rob Duncan Planning Consultancy Limited on behalf of their client, Mr. S. Heath. The survey was to be undertaken in relation to the submission of a planning application **to convert the existing building to a dwelling.**” [my emboldening]

I would have expected at the least a site preliminary ecological survey to consider the overall biodiversity of the site. Perhaps you can clarify with the agent whether the correct ecological survey has been submitted or at least whether any survey has been accidentally omitted.

I note the application is in outline on c.0.5ha of land described as domestic curtilage in the application form. I note protected species are cited in the application form as a consideration. I note that the site appears on the 1887 historic OS map as already being laid out to gardens / horticulture evidently in association with the then Highfield Hall. There appear to have been glass houses towards the NW side of the site throughout the four available historic maps with the latest at 1939 still suggesting a probable gardens / horticulture use of the site.

From your site photos the site looks subject to some degree of maintenance – grass kept cut. Not sure it is garden curtilage however. Just looks a bit redundant.

Should I assume the lean-to is to be demolished? What is happening to the high brick walls where remaining – will these continue to be kept in situ? I would be looking for a site survey to confirm whether any badger setts occur within relevant distances and likewise whether any ponds which could hold Great Crested Newts are within range. I happen to know there is one at c.275m due south. If the correct preliminary survey has been done this will have come to light by obtaining the relevant data from the Staffordshire Biological Records centre. Snakes and lizards should be considered in this area also.

I would anticipate with this site that most matters such as the above could potentially be fully addressed by way of mitigation approaches – eg timing of certain works especially in terms of site preparation and enclosure. Need condition to say no site work whatsoever including initial site set up shall begin until a biodiversity site assessment has been undertaken and appropriate site biodiversity mitigation strategy put in place.

I suggest condition retention of the high brick walls – some heritage interest also. But please advise and I will comment further if these actually are required to be demolished to enable the scheme... both bats and reptiles could be affected.

Please can you confirm what is happening to the lean-to and I will comment further.

Arne

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From: Johnston, Christopher
Sent: 02 February 2018 11:28
To: Preece, Mark; Swithenbank, Arne
Subject: SMD/2017/0707 - Highfields, Leek. 4 houses
Importance: High

Hi

This is going to Committee on 15th Feb with a recommendation of approval so would be grateful for your comments on the Bat and Bird survey (lots of mature trees) as soon as possible.

Thanks

Chris

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