

14th April 2021

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Dear Sir / Madam,

Planning application number - SMD/2020/0238
Request for confirmation of compliance – Conditions 10, 12 and 13
The Ramshorn Estate, Ramshorn Road, Oakmoor, Staffordshire, ST10 3BX

I have today submitted an application to request confirmation of compliance with pre-commencement conditions 10, 12 and 13 attached to planning permission (reference SMD/2020/0238) for a development of 6 self-catering holiday lodges, parking and associated works at the Ramshorn Estate, Ramshorn Road, Oakmoor. The Planning Portal reference number is PP-09737931.

The following information is submitted for approval: -

Condition 10.

Before any mature tree is pruned or felled as a result of the development it must be surveyed for potential bat roosting features, and/or active birds' nests if the work is to be carried out in the bird breeding season. A survey is best completed in the winter months when there are no leaves on the tree and all features can be seen. A survey may include an ecologist climbing the tree and investigating holes, cracks and wounds with an endoscope (under licence) and the results shall be submitted to and approved in writing by the Local Planning Authority.

A Protected Species Survey Report produced by Focus Ecology is submitted, confirming that relevant trees have been inspected and found to have no potential for bats. No active bird nests were found.

Condition 12.

The development permitted and described above shall not commence or be carried out until the developer has submitted to the local planning authority, and they have confirmed in writing that they are satisfied with, documentation that confirms that: Natural England have granted licences relevant to works affecting Great Crested Newts and Badgers, permitting works to be undertaken legally; or that such licenses are not required or necessary.

Focus Ecology have undertaken surveys to establish the presence / absence of great crested newts within the vicinity of the development site. The results of this survey are contained in their Great Crested Newt Survey Report submitted with this application.

The report confirms the presence of 1 great crested newt triggering the need for a mitigation (development) license to be obtained from Natural England. However generally Natural England will expect pre-commencement conditions to be discharged by the local planning authority before a license is issued.

It is therefore requested that the Council discharge conditions 10, 12 and 13 to allow the licence to be obtained. The applicant will notify the local planning authority once the NE licence has been issued.

Condition 13.

Before any site work whatsoever (including any site clearance, stripping or site establishment) begins a programme of mitigation shall be submitted to and approved in writing by the Local Planning Authority setting out measures by which it will be ensured that any risk of threat to reptiles is minimised through the period of site preparation and construction. The programme of measures shall be supported by survey data from the site compiled in advance of any site work in accordance with the methods detailed in the Herpetofauna Workers' Manual (Gent and Gibson 1998) and the mitigation measures shall be implemented in the sequence and form approved by the Local Planning Authority.

Following recent correspondence with planning officers it is understood that condition 13 was intended to require mitigation for amphibians if their presence is confirmed. However, the condition itself refers to reptiles, for which the site has low potential. To ensure a comprehensive approach for potential herpetofauna, Focus Ecology have prepared a Reptile and Great Crested Newt Mitigation Strategy and this has been submitted for the Council's approval.

I trust that the information submitted with this application is satisfactory and I look forward to receiving confirmation that conditions 10, 12 and 13 have been discharged as soon as possible.

Yours sincerely,

MARK DAUNCEY
Planning Director