

From: Parish Clerk Cold Aston
Sent: 05 September 2017 19:45
To: Democratic
Subject: Planning committee Comments for Sept 13th 2017

With regard to the following planning application to be discussed at the planning committee meeting on the 13th September 2017;

Full Application for Change of use of land to provide a mobile home for an equestrian worker for a period of 3 years at Land Parcel At Bang Up Lane Cold Aston Gloucestershire for Mr Ben Thomas-Cook

Unfortunately no one is able to attend from the Parish Council but the council wish to submit the following comments for this meeting;

The Council wish to object to this application and submit the following comments;

- *The original application was for 6 stables for private use, this has now turned into a large commercial livery yard.*
- *Previous applications have assured that no application for a residence would be made.*
- *The previous tenants lived 5+ miles away and this was never an issue for them.*
- *There are cheaper properties available within a 6 mile radius than the applicant is suggesting*
- *There have been other properties for sale recently in the Village eg Northcote*
- *The applicant knew when the property was bought that it had no accommodation*
- *With the advancements in technology CCTV is an option and can be viewed on smart phones etc several miles away*
- *Parishioners who attended the meeting expressed their concerns over the increased volume of traffic already to this property. Speeding and the volume of traffic is an ongoing issue for Cold Aston. Parishioners also were concerned that if permission were granted that in later years an application would be submitted for a permanent dwelling.*
- *The application is for a mobile home yet the plans show a structure that is similar to a permanent log cabin.*
- *The proposed site is too close to the current muck heap, making it very difficult to empty, this may mean that the muck heap may well be moved outside the current developed area.*
- *The area where the 'mobile home' is proposed is currently used as a haylage store, where would that, be moved to?*
- *The cold Aston Parish Plan states that; The main conclusion is that parishioners seek to retain the status quo with little change.*

Thank you

Debbie Hunt

**Parish Clerk
Cold Aston Parish Council**

**Address: 2 The Old Chalet
Station Road
Bourton on the Water
Glos
GL54 2ER**

If you do not wish to receive any more emails from this database then please let me know.

17/00255/FVL - Agent's Representations

Good morning

I am speaking on behalf of the applicant in support of this proposal to address the objections that have been raised.

With regard to the Parish Council's comments, the original application was for eight stables and all subsequent developments at this site have been through the planning process and carried out lawfully. The latest permission was for the variation of the original condition that restricted the use and an informative was added to the effect that permission was not granted or implied for residential accommodation – this would have to be the subject of a further application in any event.

The previous tenant left so that he could stable his horses at a yard with his own living accommodation – he was informed by the Council's equestrian consultant that his business here warranted accommodation. The applicant runs a similar enterprise that has moved here from another part of the country in order to establish his business.

The information submitted with the application made reference to housing accommodation that was available at that time. There is now a two-bedroomed cottage for sale in Cold Aston for £495,000, which is way out of the price range of the applicant who is just starting his own business and he could not afford a deposit for nearly £50,000 and monthly payments of £2,400.

The applicant knew when he leased the stables that there was no accommodation but he was also aware that the previous tenant had been informed by the Council's consultant that a business of this type warranted on-site accommodation, as now confirmed within the officer's report.

CCTV may be an option but it cannot detect conditions that would be evident by an on-site presence, a matter confirmed at the top of page 131 of the agenda. Even if the applicant was living at Bourton-on-the-Water and with CCTV, this would be too far away in the event of an emergency.

The general location of the proposed mobile home would have minimal impact on the landscape due to the dense hedgerow, as photographs taken in January and submitted as part of this application confirm.

There is a genuine need for accommodation to be provided at this site in the interest of animal welfare and this proposal accords with local plan policy and national guidance. It is not at odds with the local plan, as alleged, as Policy 31 demonstrates the requirements that have to be met, which this proposal complies with.

I trust, therefore, that you will grant permission.

Thank you

AMEND CONDITIONS REGARDING APPEARANCE OF
MOBILE HOME, DETAILS TO BE SUBMITTED FOR APPROVAL,
IF NECESSARY.

17/02488/FUL - Agent's Representation

Cirencester Committee 13-09-17

1. Thank you Chair. My name is Fergus Sykes and I am from Pegasus Group who represent the applicant.
2. Originally, the most prevalent concern raised by the objectors was the impact on residential amenity from the 24 hour use of the site as a gym. Following these concerns, the applicant agreed to reduce the proposed opening hours to between 6am and 11pm.
3. Whilst this is not in line with the applicant's usual business model, they recognised the level of concern raised by members of the public and amended the proposal accordingly.
4. There have also been concerns over the potential noise impact from the compressors. A noise report was prepared by the applicant's appointed acoustic consultant and submitted in support of the application.
5. This demonstrates that, with the inclusion of acoustic enclosures, the compressors would cause no unacceptable impact on residential amenity. A condition has been added to ensure that the recommendations of the noise report are complied with.
6. Furthermore, the Council's Environmental Health Officer has reviewed the submitted information and amended opening hours and is satisfied that the proposal would not cause any harm to amenity.
7. A number of the objectors have raised the issue of the impact on highway safety and parking, indicating that the levels of parking at the site and surrounding area are insufficient to serve the proposed gym.
8. The site is located within the Commercial Centre of Cirencester where main town centre uses, such as health and fitness centres, are expected to be located. There will be 18 no. spaces serving the proposed gym (including 1 disabled space).
9. Given the nature of the site's proposed use as a gym, and given its location within the centre, it is anticipated that a reasonably high proportion of customers would walk or run to the gym or use public transport.
10. As can be seen within the response from the Council's Highways Team, a TRICS analysis demonstrates that the estimated daily trip generation is very similar for the existing Class A2 use and the proposed Class D2 use. Furthermore, the movements from the gym would be spread out over a greater period of time.
11. In addition, the site is lawfully a Class A2 unit. It could therefore also be occupied by a busy Class A1 retail unit under permitted development rights. Such a use would likely generate a similar, if not greater, level of vehicular movements and parking demand.
12. The proposed gym will result in the re-occupation of a large vacant town centre unit which has been empty for a significant period of time. The re-use of this building will improve footfall in the area and improve the appearance of the site and surrounding area.

70 ~

13. The proposed gym would generate a number of job opportunities for local residents.

14. For these reasons it is respectfully requested that you agree with your Officer's recommendation and approve the application subject to any necessary conditions.

17/02241/FUL - Agent's Representations

To: Mark Chadwick
Subject: FW: Version 2 ! Chairman and Councillors.....

Chairman and Committee Members, ~~thank you for the opportunity to address you this morning.~~

over a significant period of time

My name is Mark Chadwick ~~and~~ I have worked closely with your Planning Officer, Alison Williams, in respect of this ~~proposed~~ ^{proposal to} redevelopment ~~to~~ ^{to form 5 dwellings.}

~~application to~~ ^{the site}

~~I am not going to focus on Alison's positive approach to this development, supported by your Landscape, Design and Ecology Officers, as those details have all been fully documented to you separately.~~

Substantive

~~Instead,~~ I wish to highlight the ~~important~~ ^{important} material planning consideration that, as decision makers, you are obliged to consider. That is, the issue of the fall-back position.

As a matter of planning law, when determining this application, you are obliged to take full account of the difference presented by this application in contrast to that which can be implemented by the extant scheme.

Policies relating to the principle of building new houses in the countryside are not relevant to your consideration today, as the extant scheme allows for 10 new homes at this site; I'm afraid I think the officer report before you is somewhat ~~misleading~~ ^{misleading} on that point.

Unclear

~~Whereas,~~ the issue before you is a straight forward one. Should you conclude the scheme before you represents a betterment over and above the scheme already permitted, then you SHOULD grant planning permission.

It has been unambiguously documented that the former Planning Officer dealing with this case and your Landscape, Design and Ecology Officers have ALL concluded the proposal subject of this application represents substantial landscape and environmental improvement over and above those secured by the conversion scheme benefitting from planning permission.

This case presents unique matters which clearly cannot be used to set a widespread precedent elsewhere.

I ask you to ~~please~~ take a pragmatic and sensible approach and let common sense prevail in your decision making on this application.

Thank you

17/02263/FUL - Objector's Representations

Dear Kevin Field - If I can make it I wish to be considered for speaking at the planning committee 13th September 2017 on behalf of some of the residents in the cul de sac.

My comments for the meeting are as follows:

1. Insufficient displaying of notice to build. (first notice was put on a telegraph pole off the public highway and hidden by trees and bushes).
The second notice was displayed after involving local council members on the fence opposite The Furrows roadway. No additional time period for comment appeared to have been provided on the second notice.
2. Concern was raised about the uprooting of existing trees prior to the development where the proposed houses are to be built and for consideration to be given for a preservation order to be put on the remaining tree. Mr Mark Berry advises the tree is of a conifer species and of little significance. **The tree is not a conifer.**
3. The risk of additional traffic in the Furrows where there are no pavements. Risk of injury to children and other pedestrians. Lack of parking – possible speeding.

There appears to be about 24 objections to this proposal and each objection recorded is raised by individual households for their specific issues. The comments above are to be considered as the main collective concerns by the local residents

Kind regards

Richard (Ricky) S Campbell

98 The Furrows
Bourton on the Water

From: Roger Pettit
Sent: 12 September 2017 14:19
To: Planning mail; Democratic
Subject: Planning Meeting 13th September 2017 - Application Ref. 17/02671/FUL - 4
Railway Terrace, Kemble

Written Submission

Despite best efforts the Parish Council is not able to be represented at the Planning Meeting on 13 September when this application will be considered. We are however keen to stress that this does not indicate any lack of concern about or interest in the proposal. Thus this written submission.

The fact is that, unusually for a village of the modest scale of Kemble, the local development of the railway is very much intertwined with and a significant aspect of the village history. The conservation area of the station and its surrounds, the station, the bridge the cottages, the Station Masters house, are recognised as a unique collection of railway buildings; three of these buildings are grade 2 listed. The features of the ten properties of Railway Terrace are an important and integral element of this built environment dating back to the construction of the line in the 1880s.

We are aware that the rear elevations of several of the properties have been altered over the years. and the Parish Council is not intrinsically against any alteration or change to the properties provided that these are sympathetic to the existing architectural design and of materials matching the original. In one example, number 10, a rendered extension was added many years ago. We would submit that this is entirely inappropriate, does not set a meaningful precedent and that two wrongs do not make a right. In line with the provisions of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 we consider that special attention should be paid to the desirability of preserving or enhancing the character and appearance of these properties. It is our strong view that preservation of the character and appearance of these properties is an absolutely paramount consideration. In this case, the proposal falls substantially short of meeting this objective.

We therefore request that this application be refused.

Roger Pettit

Chairman

Kemble and Ewen Parish Council

17/02671/FUL - Applicant's Representative

From: Martina Yates <martinayates@hotmail.com>
Sent: 11 September 2017 15:27
To: Democratic
Cc: Nikita Hooper
Subject: Ref:17/02671/FUL CT.8796/A - applicant's speaking notes for session 13th September

Ref:17/02671/FUL CT.8796/A - Full Application for Single storey rear extensions (part retrospective) at 4 Railway Terrace Station Road Kemble Cirencester Gloucestershire for Mr Yates - applicant's speaking notes for session on 13th September:

4 Railway Terrace - a considered and sustainable solution:

1) With regard to the **retrospective** planning application, this was intended as a permitted development, however our builder's subcontractor left a poor finish, which we seek to resolve as part of the additional work we're hoping to undertake. Render was chosen for the exterior, as the most sympathetic way of marrying the three different types of brick in the existing and old structures. It is also in line with other extended houses in the terrace (nr 2, nr 10). The flat roof was chosen in order to align with the flat roof extension of the adjacent house (nr 3). Finally, the intention is to plant a creeper over the rendered area, to be in keeping with the original creeper at the rear.

2) A major reason for choosing to live where we do, is the character of the terrace. Therefore, with regard to the **new** structure, we are keen to ensure this remains sympathetic to the traditional elements, and note that our neighbours are supportive of the plans.

2a) The space allocated for the new extension is already filled by sheds and an oil tank (the intention is to consolidate these in the opposite, un-used and un-overlooked far corner of the garden).

2b) The precedent for extensions has already been established by an array of rear extensions to all houses on Railway Terrace, as well as side extensions to two properties. Number 10 has doubled in size with a rendered extension to the front, side and rear.

2c) Numbers 1 & 2 both have large extensions within a couple of meters of their rear boundary wall. Our proposed extension sits over 4 metres from the rear boundary and is obscured by large existing trees. We are happy to add more. There are no windows intended toward any neighbouring properties. Our proposed extension would appear to be a further distance from the boundary fence than the house behind (11 Old Manor Gardens).

3) **Background:** We have 2 young children - our boy has just started in the local school, walking distance from our home. Our girl will follow. Extending the house will allow us to continue working from home, while giving the children their own rooms (they currently have to share). It also enables us to accommodate family from Finland who visit regularly for extended periods to help with childcare. Extending our existing home sympathetically, within the spacious garden at the back, in our view, is a sustainable solution, and the only one that does not uproot our family from our local community - our home village of Kemble.

Many thanks for listening.

17/02598/FUL - Objector's Representations

Objection to Planning Application

Planning and Licensing Meeting 13 September 2017

Application No.: 17/02598/FUL

Location: Close Hill
Naunton
Cheltenham
Gloucestershire
GL54 3AA

Objectors: Lawrence and Jennifer Houlden
Hatters Cottage
Naunton
Cheltenham
Gloucestershire

Submitted by Lawrence and Jennifer Houlden, 11 September 2017.

1. Planning Legislation/Policies

GPDO Town and Country Planning (General Permitted Development) (England) Order 2015
NPPF National Planning Policy Framework
PR42 Cotswold Design Code
LPR46 Privacy & Gardens in Residential Development

2. Planning History

Circa 1957 Original dwellinghouse
04/01032/FUL Alterations to dwelling and replacement garage. Permitted 1 June 2004
16/01577/FUL Alterations to dwelling and replacement garage. Permitted 29 July 2016.
16/03214/TCONR Schedule 190 Tree Application. Permitted

3. Introductory Note

We appreciate the opportunity to raise various matters in objection to Application 17/02598/FUL.

We have raised complex and contentious issues associated with this application, which cannot be considered adequately in the context of, and time available, during a Planning and Licensing Committee Meeting. Naunton Parish Council have also raised similar concerns. The issues we raise below have not been considered adequately in the application or in the Planning Officer's Report (Officer's Report).

Cotswold District Council (CDC) should apply the Precautionary Principle, especially in relation to nature conservation matters. This means a refusal of the application.

We outline below why we believe that in Planning Law the new garage development as constructed does not include any Permitted Development and therefore the Planning Officer's Report may be erroneous and has not considered adequately both nature conservation matters and our interests as an immediate neighbour to the development. The Planning Officer's Report also lacks deference to the views expressed by Naunton Parish Council and relies on a single short and ambiguous email from an ecologist as evidence that the bat loft is not a requirement.

It should also be noted that the Applicant has an advantage in planning procedural terms. The Applicant has the option to re-submit a revised application or Appeal the decision should the application be refused, whereas if the application is permitted the only recourse we will have is litigation related to the decisions made by Cotswold District Council.

Consequently, we urge Cotswold District Council to refuse this application and allow the Applicant the opportunity to submit a revised application with proper supporting evidence or Appeal a refusal, again with proper supporting evidence.

4. Main Issues

Our objections relate to the difference between the details of the rooms above the new garage (i) shown on the Approved Plans (16/01577/FUL), and, (ii) the as-built construction and as shown on the drawings which accompany Application 17/02598/FUL.

Our objections are based on actual loss of nature conservation value and privacy, and on matters of principle relating to the way in which the Applicant has provided information in support of their Applications. We believe that an applicant has a duty to provide clear and complete information in support of each planning application, and subsequently to construct strictly in accordance with the Decision Notice. We would have objected to Application 16/01577/FUL had the application shown the occupied rooms over the garage with windows at viewing height (i.e. where the windows extend to within 1.7m of floor level and/or are not obscure glass and/or are openable¹). When we reviewed Application 16/01577/FUL the plans clearly showed a store room and bat loft above the new garage. It would not have been appropriate for us to object to a store room and a bat loft, and indeed, any reasonable person or our neighbours in Naunton would almost certainly consider that we had acted unreasonably had we objected to the store room and bat loft. Therefore, the 2016 Application as made and in the context of the subsequent Application 17/02598/FUL has obstructed our options to raise objections.

It is questionable why the Applicants' requirements for a store room and bat loft in 2016 changed to an additional bedroom and bathroom when construction started in early 2017 and why, having received the ecologist's email dated 7 December 2016, an application was not

¹ As specified in the Town and Country Planning (General Permitted Development) (England) Order 2015.

made at the appropriate time to amend the application to replace the store room and bat loft with a bedroom, bathroom and additional windows. The email from the ecologist, see below, rather than resolving matters actually raises additional questions.

We also contend that Decision Notice 16/01577/FUL, by Condition No. 2, places a strict obligation on the Applicant to construct in accordance with the Approved Plans.

We have also considered the meaning of permitted development as defined in Planning Law under the Town and Country Planning (General Permitted Development) (England) Order 2015 ("GPDO"). We believe that the new garage does not have any benefits of Permitted Development as explained below.

Therefore, the main issues raised by this objection are as follows:

- Removal of the provision of a bat loft, which was a strict requirement of Decision Notice 16/01577/FUL, and absence of adequate information to support the removal of the bat loft. Drawings attached to Application 17/02598/FUL do not show the bat loft and therefore conflict with Decision Notice 16/01577/FUL.
- Failure to fulfil Condition 2 of Decision Notice 16/01577/FUL, as detailed in Section 5 below, which is not rectified by Application 17/02598/FUL.
- Failure to provide a clear statement of the intended use of the rooms above the garage in Application 16/01577/FUL, which again is not rectified by Application 17/02598/FUL. In our opinion, application 16/01577/FUL was deliberately misleading.
- Loss of privacy resulting from the combined effects of 16/01577/FUL, 16/03214/TCONR, and 17/02598/FUL. The effect of 17/02598/FUL is to permit explicitly the change of use from store room and bat loft to bedroom and bathroom with direct views over our property from clear-glazed, opening windows set less than 1.7m above floor level.
- Plans accompanying Application 17/02598/FUL contradict Decision Notice 16/01577/FUL.

5. Planning Consent 16/01577/FUL

Decision Notice 16/01577/FUL (2016 Decision Notice) permitted various alterations to the dwellinghouse, together with the replacement of a pre-existing garage with a larger garage with rooms above. This objection is principally concerned with the replacement garage and the rooms above.

The 2016 Decision Notice included the following condition ("Condition 2"):

2 The development hereby approved shall be implemented in accordance with the following drawing number(s):

2351-PL07A *proposed and existing front elevations*
2351-PL08A *proposed and existing side elevations*
2351-PL09A *proposed and existing rear elevations*
2351-PL10A *proposed and existing side elevations*
2531-PL05 *Plan - proposed ground*
2531 - PL06 *Plan - proposed first*
2531 - PL01 *location plan*

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with paragraphs 203 and 206 of the National Planning Policy Framework.

Drawing number “2531 – PL06 Plan – proposed first” referenced in Condition 2 shows a store room and a bat loft in the first floor roof space above the new garage. Condition 2 has not been complied with, because the rooms above the garage were actually built as occupied living space, specifically a bedroom in lieu of the store with four windows and a bathroom with two windows in lieu of the bat loft which had no windows.

We contend that Condition 2 of Decision Notice 16/01577/FUL imposes strict requirements for construction only in accordance with the Approved Plans listed in this condition. No other use is permitted and this condition has the same effect as a condition restricting the use of the rooms above the new garage. Any variation from the Approved Plans is not Permitted Development as explained in Section 7 below.

6. Application 16/03214/TCONR Schedule 190 Tree Application

On 8 August 2016 an application was made to remove virtually all the trees and hedges at the site. This was permitted by CDC on 22 August 2016, and we were not consulted.

The effect of this permission was to allow the complete removal of a mature hedge some 5 to 10m high, which screened the front of Close Hill from the footpath and our property. A two-story high glass window in a main stairway of Close Hill and several other windows now directly overlook our property, where previously the view was screened by the hedge. The two-storey window was permitted by CDC in 2004. Please refer to Photograph 1.

We contend that this tree application had significant planning consequences and we should have been consulted before a decision was made. We believe that CDC’s actions in this regard were prejudicial to our interests.



Photograph 1 Current View of Close Hill from Hatters Cottage rear patio

The above photograph was taken from the patio area immediately to the back of our house.

7. Planning Officer's Report

The Officer's Report, dated 21 August 2017, makes the following introductory statement:

"The proposed plans show the room to be used as a bedroom as opposed to a store and bat loft as previously approved, however no conditions were imposed to restrict the use of the room and so planning permission is not required for the use of the room as a bedroom. Planning permission is required because the rooflights were inserted while the garage was under construction, thus the construction did not accord with the approved plans. It should be noted however that planning permission would not be required if the rooflights were inserted after the garage was completed."

We do not accept this statement for the following reasons:

- a) Condition 2 of 16/01577/FUL requires the development to be constructed in accordance with the Approved Plans as listed in the condition. The Approved Plans include a bat loft and therefore this is a strict requirement. Application 17/02598/FUL includes new plans which omit the bat loft and therefore this application cannot be permitted as it would contradict the 2016 Decision Notice.
- b) Permitted Development rights do not apply to the new garage by virtue of GPDO. The development is situated in a conservation area which is Article 2/3 land under the GPDO (GPDO Schedule 1, Part 1, 1 (a)). There are numerous exceptions to Permitted Development rights under Schedule 2 of the GPDO. We believe that the following exceptions apply: A1 (e) or A1 (j); A2 (a) [the garage has wood cladding]; and A2 (b). Condition 3 of Schedule 2 of the GPDO also applies and requires that upper-floor windows in a side elevation should be constructed with obscure glazing and be non-opening or more than 1.7m above floor level, which the as-built development does not

conform to. Therefore, planning permission is required for the insertion of new roof windows irrespective of when they are installed.

The Officer's report also includes the following statement:

"The neighbour has raised concern that the rooflights are harmful to the conservation area, however the rooflights match those approved on the garage which were considered acceptable by our conservation team."

In fact, we do not question the roof windows on conservation grounds, they are of the same type as installed on our own house. Rather, it is the appearance of the whole development under 16/01577/FUL in conjunction with removal of the screening vegetation under 16/03214/TCONR that we question. In our opinion, larch cladding was inappropriate in Naunton and CDC acted rashly and incorrectly in permitting 16/03214/TCONR without full consultation. It also appears that 16/03214/TCONR was permitted without reference to 16/01577/FUL because the removal of the screening has opened up the Close Hill plot to make it a visual intrusion. The larch cladding used is out of character with architecture elsewhere in Naunton.

It should also be noted that the term "rooflights" is somewhat misleading because these windows are openable, clear-glazed and less than 1.7m above floor level. The "rooflights" installed in the new garage conform to roof windows under EN 12519:2004 and should be considered as such.

Finally, we completely disagree with, and object to, the following two statements in the Officer's Report:

There were no conditions imposed on the previous application for the replacement garage to restrict the use of the rooms or for the retention of the bat loft. As such, planning permission is not required to use the space as a bedroom.

Furthermore, the agent has submitted an email from the applicants' ecologist which confirms that the garage is unsuitable for roosting and would not be identified as a bat roost site. As such, the insertion of the roof lights is not considered to result in the harm to the ecological value of the site.

As we have stated above Decision Notice 16/01577/FUL includes Condition 2 which specifically requires that the development should be built in accordance with the plans listed in this condition. Therefore, the Decision Notice *did* restrict the use of the rooms above the new garage, and most certainly required the provision of a bat loft. Condition 2 of Decision Notice 16/01577/FUL was a condition and not simply an informative statement as was used in the previous Decision Notice 04/01032/FUL.

In Section 7 below we explain why the email from the "applicants' ecologist" referred to in the Officer's Report is unsatisfactory. The ecologists report referred to the previous garage, and clearly implies that it was identified as a bat roost site. In the absence of a full report(s) from this and/or any other ecologist, this information should not be given any credence.

We find the Officer's Report to be unduly biased towards the Application, and not protective of other interests, including nature conservation and neighbours, and does not give sufficient regard to the objections made by Naunton Parish Council. **We submit that the Planning and Licensing Committee should reject the Officer's Report, and require additional investigations to be made and a revised report to be submitted.**

8. The Bat Loft and Supporting Information

A bat loft was shown on the Approved Plans submitted in support of Application 16/01577/FUL and is a requirement of Condition 2 of 16/01577/FUL.

On 21 August 2017 a copy of an email from the Applicant's Architect to CDC was uploaded to the CDC Planning Portal. Amended to this email was an email dated 7 December 2016 from an ecologist of Cotswolds Wildlife Survey. The salient paragraph in Cotswolds Wildlife Survey's email was as follows:

I've discussed this with Neil, and in fact I've concluded that there won't be any necessity for a licence, as the garage was only used briefly by an opportunist bat taking advantage of the garage door being left open. At all other times there is no way for a bat to gain access and the building is unsuitable for roosting pipistrelles. Under normal circumstances we would thus not have identified it as a bat roost site.

No ecology reports were included in the documents associated with 16/01577/FUL or 17/02598/FUL. However, the above email implies that an ecological report of some kind was commissioned in respect of 16/01577/FUL. The inclusion of the bat loft in the 2016 application and the phrasing of the email indicates that, at the time of the application in 2016, a bat licence was a requirement because bat roost(s) had been identified, however transitory. Other than this email, no supporting information related to bats has been submitted by the Applicant. And from the final sentence, it is not clear why this situation was not "normal", but the implication is that the previous garage was originally identified by the ecologist in a survey on 2016 as a bat roost and this habitat would therefore have required protection.

The email copy submitted by the Applicant does not demonstrate that the bat loft was not a requirement, in fact it suggests that the ecologist did originally conclude that a bat loft was required. The ecologist then appears in December 2016 to have given the opposite advice to that which he gave originally, and therefore loses any credibility. The Applicant should have provided full details including copies of the report(s) or other correspondence produced by the ecologist.

We refer to the Bat Conservation Trust (BCT) website, which provides guidance on how to approach bat surveys during planning applications. The Applicant and/or their advisors have not provided evidence that they have adhered to the procedures outlined by BCT "Steps if bats are suspected at a building or development site", or to an equivalent methodology.

The ecologist's email dated 7 December 2016 should not be relied on as evidence that bats do not require protection at this site.