

**Development Control Committee**  
Meeting to be held on 4<sup>th</sup> October 2017

Electoral Division affected: Fylde East
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**Fylde Borough: Application Number. LCC/2017/0062**  
**Construction of a new bat barn adjacent to Many Pits Wood at Gracemire Farm, Salwick to provide an alternative roost to Crow Lady Farm. Gracemire Farm, Treales Road, Newton with Clifton.**

Contact for further information:  
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### **Executive Summary**

Application - Construction of a new bat barn adjacent to Many Pits Wood at Gracemire Farm, Salwick to provide an alternative roost to Crow Lady Farm. Gracemire Farm, Treales Road, Newton with Clifton.

### **Recommendation - Summary**

That subject to the completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 providing for the retention of the bat barn on a permanent basis, planning permission be **granted** subject to conditions controlling time limits, notice of commencement, working programme and submission of further bat barn details.

### **Applicant's Proposal**

Planning permission is sought for the construction of a bat barn required in connection with the proposed Preston Western Distributor Road and East West Link Road. (application LCC/2016/0046). The bat barn is proposed to replace an existing bat roost located at Crow Lady Farm which is likely to be abandoned as a result of the close proximity of the proposed road. The applicant has provided details of the bat barn but stated the proposals are an indicative design at this stage. The bat barn is proposed to measure approximately 5m by 4m with a pitched roof with a maximum height of 4 metres.

The barn would have stone elevations with a pitched roof covered in slate with bitumen roof felting below the slates. There would be no windows on the barn to ensure light levels are appropriate for day roosting and the floor would consist of compacted earth to help maintain high humidity levels. A ceiling is proposed to be installed at the wall plate level to provide a warmer roof void which bats can enter from the main body of the building. Smaller roosting features such as bat boxes and wooden battens would be installed inside the building.

The applicant has confirmed that the bat barn would be constructed prior to the Preston Western Distributor and East West Link Road construction works commencing to ensure that there would be an alternative roost site prior to potential loss of the Crow Lady Farm roost.

### **Description and Location of Site**

The proposed bat barn would be located to the rear of Gracemire Farm which is located off Treales Road, Newton with Clifton approximately 6 km north west of Preston city centre. The proposed bat barn would be located on an area of existing agricultural grazing land approximately 5m east of Many Pits Wood. Crow Lady Farm and the proposed Preston Western Distributor road is located approximately 900m east of the proposed site.

The nearest residential properties are located at Grace Mire House and off Rosemary Lane 600 metres from the application site.

### **Background**

There is no relevant planning history on this site.

### **Planning Policy**

National Planning Policy Framework (NPPF)

Paragraphs 6 -17, 56 - 64, 109 -112 are relevant with regards to the requirement for sustainable development, need for good design and conserving and enhancing the natural environment.

Fylde Borough Local Plan

Policy SP2 - Development in Countryside Areas

Policy EP11 - Building Design and Landscape Character

Policy EP18 - Nature Conservation

### **Consultations**

Fylde Borough Council - No observations received.

Newton-with-Clifton Parish Council - The proposed development should be granted planning permission.

County Ecology Service - The proposed dimensions of the bat barn do not currently meet English Nature's (2004) generic specifications for bat barns. To meet these requirements the proposed bat barn should be increased in height and be orientated north south facing to match the existing roost at Crow Lady Farm. The bat barn is proposed to be sited in close proximity to Many Pits Wood which could shade the barn and therefore heating may need to be installed as well measures to increase solar gain.

Natural England - No objection - standing advice should be applied.

LCC Highways Development Control - No objection.

Representations - The application has been advertised by site notice and neighbouring residents informed by individual letter. No representations have been received.

### **Advice**

Planning permission is requested for the construction of a bat barn to the rear of Gracemire Farm in connection with the proposed Preston Western Distributor Road and East West Link Road (application LCC/2016/0046).

Ecological surveys undertaken as part of the Preston Western Distributor Road and East West Link Road have identified that a bat maternity roost for brown long eared bats is located at Crow Lady Farm, located approximately 900m east of the proposed bat barn site.

Whilst Crow Lady Farm itself would not be directly affected by the proposal, the Preston Western Distributor Road and East West Link Road would result in major new highways on three sides of the property and could therefore have significant impacts on bats through severance of commuting routes and disturbance of foraging habitat. There is therefore a significant likelihood that the existing roost would be abandoned due to the development. The bat barn at Grace Mire Farm is proposed to provide a habitat for any bats which may be displaced from the existing roost as a result of the construction and operation of the Preston Western Distributor and East West Link Road.

Paragraph 118 of the NPPF requires that Local Planning Authorities should aim to conserve and enhance biodiversity and if significant harm from a development cannot be avoided, adequately mitigated for or compensated for, then planning permission should be refused.

Policy EP18 of the Fylde Borough Local Plan states that due to the level of protection for bats existing features should be retained where possible and where the retention of existing features is not practicable, replacement features will be required. The proposed development would be providing replacement bat roosting habitats due to the possible impacts of the proposed Preston Western Distributor Road and East West Link Road application (LCC/2016/0046) therefore complying with Policy EP18 of the Fylde Borough Local Plan.

The proposed site is located on land designated as Countryside Area in the Fylde Borough Local Plan. Policy SP2 of the Local Plan states that development within Countryside Areas will not be permitted except where it is required for agriculture, horticulture or forestry or other uses appropriate to a rural area. There is no alternative site that would not be within the area designated as Countryside as the bat barn needs to be located as close as possible to the existing roost whilst being sufficiently distant from the proposed Preston Western Distributor and East West

Link Road. The barn would be a small scale feature and would be constructed from materials such that it would have the appearance of a tradition agricultural building. Taking into account the small scale and appearance of the development and the purpose of the development, it is considered that the proposal is acceptable in relation to Policy SP2 of the Fylde Borough Local Plan.

The County Council's ecologist considers the proposed dimensions of the proposed development do not meet English Nature's (2004) generic specifications for bat barns and do not provide a similar habitat to that currently found at the existing roost. To meet these requirements, the County Council's ecologists comments that the proposed bat barn should be increased in height and be orientated north / south to match the existing roost at Crow Lady Farm. Also as the bat barn is proposed to be sited in close proximity to Many Pits Wood which would shade the barn, heating measures should be put in place as well as measures to increase solar gain.

The applicant states that the design of the bat barn is indicative at this stage and that full construction details would be developed as part of the protected species licence that would be required from Natural England. The general location of the proposed barn is considered satisfactory as it is close to existing habitat. The outstanding issue therefore relates to the detailed design of the barn to ensure that it provides suitable roosting opportunities for the species concerned. Therefore, it is considered that a condition should be attached to any permission requiring full details of the bat barn including orientation, dimensions and detailed design to be submitted and approved prior to the commencement of development.

The applicant has confirmed that the bat barn would be constructed prior to highway works commencing to ensure that there is an alternative roost prior to potential impacts on the Crow Lady Farm roost. However, it is important that the bat barn is retained on a permanent basis and as the proposed building is located on land outside the control of the County Council, any planning permission must be subject to a section 106 agreement to ensure its retention.

In view of the scale, location and nature of the development, it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

### **Recommendation**

That subject to the signing of a legal agreement under section 106 of the Town and Country Planning Act 1990 providing for the retention of the bat mitigation measures, planning permission be **granted** subject to the following conditions:-

### **Time Limits**

1. The development shall commence not later than 5 years from the date of this permission.

*Reason: Imposed pursuant to Section 91 (1)(a) of the Town and Country Planning Act 1990.*

### **Working Programme**

2. The development shall be carried out in accordance with the following documents:
- a) The Planning Application received by the County Planning Authority on 26th July 2017
- b) Submitted Plans and documents:
- Drawing No - CLM11-DEV-040-001 / Location Plan  
Drawing No - CLM11-DEV-040-002 / Bat Barn Plan
- c) All schemes and programmes approved in accordance with this permission.

*Reason: To minimise the impact of the development on the amenities of the area and to conform with Policy SP2 of the Fylde Borough Local Plan.*

3. No development shall commence until full details of the bat barn including dimensions, materials, orientation, roosting opportunities and other measures necessary to ensure an appropriate level of mitigation have been submitted to the County Planning Authority for approval in writing. Thereafter, the bat barn shall be constructed in accordance with the approved details.

*Reason: To ensure that the bat barn provides an appropriate level of mitigation in the interests of ecology and to conform with Policy EP18 of the Fylde Borough Local Plan.*

## Notes

The grant of planning permission does not remove the need to obtain the relevant statutory consents/licences from Natural England. Please refer to Natural England's standing advice on Protected Species - Bats, consultation response letter on 22nd August 2017.

## Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Ext
LCC/2017/0062 01772 534130	August 2017	Jonathan Haine / Planning and Environment /

Reason for Inclusion in Part II, if appropriate  
N/A