

From: Planning Inbox (FODDC) <Planning@fdean.gov.uk>
Sent: 12 Dec 2022 11:11:03
To: FODDCPlanningAdmin.DMS@220ICT.NET
Cc:
Subject: FW: Urgent FW: P1207/21/FUL Hill Farm, Lensbrook - GCN
Attachments:

Planning Support Team (FODDC)



**INVESTORS
IN PEOPLE**



**ENHANCED
LEVEL AWARD**

From: Melissa Baldwin <Melissa.Baldwin@fdean.gov.uk>
Sent: 12 December 2022 09:08
To: Planning Inbox (FODDC) <Planning@fdean.gov.uk>
Subject: FW: Urgent FW: P1207/21/FUL Hill Farm, Lensbrook - GCN

Dear Admin,

Please can this be uploaded URGENTLY as it is on Committee tomorrow Nature Space consultee comments as it is on Committee tomorrow. Thanks Melissa

From: Katie Rees <katie.rees@naturespaceuk.com>
Sent: 12 December 2022 08:58
To: Melissa Baldwin <Melissa.Baldwin@fdean.gov.uk>
Subject: RE: Urgent FW: P1207/21/FUL Hill Farm, Lensbrook - GCN

Good Morning Melissa,

Now that the applicant has submitted the NatureSpace report. Should you be minded to approve planning for the above planning application there are mandatory conditions and informatives within the Report (on pages 7/8) that must be used *in verbatim* on the decision notice. This is in order to comply specifically with conditions in the council's district licence.

If the district licence conditions are not used *in verbatim*, it could potentially lead to the LPA being unable to send out authorisation paperwork to the applicant on time and a decision notice needing to be reissued. If the authorisation has been issued to the applicant, then it could also mean that an administrative breach of the licence conditions has occurred.

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For reference the District Licence conditions and informatives for this application are:

Conditions:

1. No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's organisational licence (WML-OR112) and with the proposals detailed on plan "Hill Farm: Impact Plan for great crested newt district licensing (Version 1)", dated 7 th October 2021.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence WML-OR112.

2. No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR112), confirming that all necessary measures in regard to great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the local planning authority and the local authority has provided authorisation for the development to proceed under the district newt licence. The Delivery Partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

Reason: In order to adequately compensate for negative impacts to great crested newts.

3. No development hereby permitted shall take place except in accordance with Part 1 of the GCN Mitigation Principles, as set out in the District Licence WML-OR112:

- Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians.
- Capture methods must be used at suitable habitat features prior to the commencement of the development (i.e. hand/destructive/night searches), which may include the use of temporary amphibian fencing, to prevent newts moving onto a development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development).
- Amphibian fencing and pitfall trapping must be undertaken at suitable habitats and features, prior to commencement of the development.

Reason: In order to adequately mitigate impacts on great crested newts

Informatives:

It is recommended that the NatureSpace Best Practice Principles are taken into account and implemented where possible and appropriate.

It is recommended that the NatureSpace certificate is submitted to this planning authority at least 6 months prior to the intended commencement of any works on site.

It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority (which permits the development to proceed under the District Licence WML-OR112) are not licensed under the GCN District Licence. Any such works or activities have no legal protection under the GCN District Licence and if offences against GCN are thereby committed then criminal investigation and prosecution by the police may follow.

It is essential to note that any ground investigations, site preparatory works and ground / vegetation clearance works / activities (where not constituting development under the Town and Country Planning Act 1990) in a red zone site authorised under the District Licence but which fail to respect controls equivalent to those in the condition above (relating to the use of best practice and measures outline in the Great Crested Newt Mitigation Principles) would give rise to separate criminal liability under District Licence condition 12 (requiring authorised developers to comply with the District Licence) and condition 17 (which requires all authorised developers to comply with the GCN Mitigation Principles) (for which Natural England is the enforcing authority); and may also give rise to criminal liability under the Wildlife & Countryside Act 1981 (as amended) and/or the Conservation of Habitats and Species Regulations 2017 (for which the Police would be the enforcing authority).

Should you approve, authorisation of the site to act under the council's district licence cannot be issued until after the applicant has discharged their second NatureSpace condition through the submission of a NatureSpace Certificate.

Please let me know if you have any further questions or would like to discuss.

Thank you.

Katie

Katie Rees (she/her)
Newt Officer (Gloucestershire)

NatureSpace Partnership
e: katie.rees@naturespaceuk.com
m: 07534 423159
w: www.naturespaceuk.com



From: Melissa Baldwin <Melissa.Baldwin@fdean.gov.uk>
Sent: 09 December 2022 12:33
To: Katie Rees <katie.rees@naturespaceuk.com>
Subject: Urgent FW: P1207/21/FUL Hill Farm, Lensbrook - GCN

Hi Katie,

I have received this from the Agent can you advise accordingly . Thanks Melissa

Thanks Melissa

Melissa Baldwin
Planning Officer (Development Management)



From: Sara Tucker <sara@northletherby.com>
Sent: 09 December 2022 11:56
To: Melissa Baldwin <Melissa.Baldwin@fdean.gov.uk>
Subject: P1207/21/FUL Hill Farm, Lensbrook - GCN

Dear Melissa,

As required for District Licence purposes prior to planning approval, I attach:

1. Great Crested Newt District Licence report
2. Great Crested Newt Impact Map

I also note Natural England's updated response on the Council's website today.

With kind regards,
Sara.

Sara Tucker
MRICS, FBIAC

North & Letherby
Chartered Surveyors

T: 01454 631 575

Mob: 07958 914 887

www.northletherby.com

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