

DELEGATED FILE NOTE

CASE OFFICER: ...Mark Simmons.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
24/01413/LBC	Reroof grade II listed dovecote.	6 The Dovecote Back Street Ashwell Baldock Hertfordshire SG7 5PE

Submitted Plan Nos

Location Plan

HE1 Designated heritage assets

SECN16 Conserve + enhance historic environment

2.0 **Site History**

2.1 The full planning history can be viewed on file and only a selection of pertinent applications is provided below:

02/01131/1HH - Conversion of former dovecote into residential area
NRQD 02.08.2002

04/01473/1LB - Internal alterations, replacement & new doors & windows & new rooflights to facilitate use as ancillary accommodation.
CCON 03.11.2004

3.0 **Policies**

3.1 Policies HE1 of the North Hertfordshire Local Plan 2011 – 2031 is relevant as are the following paragraphs of the NPPF (2023 version):

- ☐ **200** (local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting)
- ☐ **203** (desirability of new development making a positive contribution to local character and distinctiveness),
- ☐ **205** (great weight should be given to the asset's conservation),
- ☐ **206** (clear and convincing justification), and
- ☐ **208** (harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use).

4.0 **Representations**

4.1 **Ashwell Parish Council** – No objection.

Press & site notices – No comments received.

5.0 **Planning Considerations**

5.1 **Site & Surroundings**

- 5.1.1 The dovecote (formerly part of Dixies Farm, 91 High Street, Ashwell but now within the ownership of 6 The Dovecote, Back Street, Ashwell) is grade II listed and is located within the Ashwell Conservation Area. Both the building and the area are Designated Heritage Assets for the purpose of applying the aims of the NPPF.

Dovecote and granary. 30 metres SW of Dixies. Late C17, largely rebuilt in late C18. Red brick, partly chequered. Plain tile roof, hipped with louvred gables. Square plan. 2 storeys. Dentilled brick eaves. S elevation has ground and first floor plank doors. Bottom part of ground floor has C17 bricks.

5.2 Proposal

- 5.2.1 The proposal is ***'Reroof grade II listed dovecote'***.

5.3 Key Issues

- 5.3.1 The key issue here is to consider the impact of this proposal on the special character of this grade II listed building and upon the character or appearance of the Ashwell Conservation Area. With reference to Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the following should be noted: "In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special interest or historic interest which it possesses".

- 5.3.2 Under ref: 04/01473/1LB, the case officer wrote:

Bats were also found in the building and the solution proposed in the bat report is included in the alterations under the proposal. It involves small gaps being left in the bedding mortar of the ridge tiles to allow bats access to roost.

No bat report has been submitted with this proposal and no indication is provided as to whether bats remain present 20 years later and post conversion.

- 5.3.3 The consented conversion scheme was not implemented and the dovecote remains empty but still requires roofing works to be undertaken. Following my discussion with NHDC's Senior Ecologist, I emailed the applicant on 20 August 2024 stating:

"... no bat survey/report has been submitted with your proposal and no indication is provided as to whether bats are present 20 years later or not. Considering that the gablet ends in the consented conversion would have been glazed I would have thought that this was not conducive to encouraging bats to remain on site. However, if the 2004 scheme was not implemented (even in part) then I assume that there may be good reason to suspect bats may still be present. I have not viewed the building internally and would like to do this unless you are able to share internal images of the building with me.

When dealing with a case some time back elsewhere in the district, I noted that Natural England stipulated that a licence form Natural England application must be based on recent survey information and that an up-to-date bat survey is needed to assess the current use of a building by bats; and whether bats or their roosts will be impacted on by new proposals. Normally, I would anticipate a bat activity survey being undertaken as this is a favourable time of year for doing so and accompanied by appropriate mitigation measures. I assume that you have not commissioned a bat survey/report but I enquire as to whether have you seen evidence of bats i.e. droppings? In this case I refer to, Herts Ecology offered the following condition wording:

Prior to the commencement of the development, hereby approved, bat activity surveys (i.e. dawn emergence / dusk re-entry surveys) should be undertaken during May - September (inclusive) to determine whether bats are roosting and, should this be the case, the outline mitigation strategy should be modified as appropriate based on the results and then be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with these approved details.

Reason: To ensure the continued ecological functionality of bats and their roosts is maintained in accordance with European and National legislation.

Furthermore, the advice given at the time was that a breathable membrane is not usually considered best practice when bats are present as they can become tangled in the membrane fibres and potentially die. Consequently, a 'bat-friendly' bitumous F1 felt should be considered if the re-roofing scheme is to include felt and battening."

- 5.3.4 On 21 August I spoke with the Senior Ecologist again following which the applicant was provided with the link below to obtain a bat survey:

<https://cieem.net/i-need/finding-a-consultant/>

The applicant was also advised that a low impact class licence could be the way forward once the survey is undertaken.

- 5.3.5 On 26 August an email was received from the roofing contractor stating that a 1F bitumen felt would be used and that for bat entry and exit points it is suggested that 2no. lead bat vents are installed either side of the ridge approximately 5 courses down.
- 5.3.6 The applicant made contact with Alexandra Cole BSc (Hons) MSc MCIEEM (Principal Ecologist, CSA Environmental) and an email was received on 5 September 2024 stating:

As per the advice provided below, bats and their roosts are legally protected. Therefore, where bats are likely or expected to be present survey work should be undertaken prior to works to prevent risk of legal infringement. This would usually comprise an initial Preliminary Roost Assessment (PRA) which is an internal and external inspection of the building and any associated roof voids to determine the potential for, and any evidence of, bats using the building. This would then inform the need for further survey work to comprise up to three emergence/re-entry surveys. Whilst the PRA can be undertaken at any time of year, the emergence/re-entry surveys must be conducted within the bat active season (May-August, with September accepted where weather conditions are suitable), spread a minimum of three weeks apart.

Should a bat roost(s) be identified then a licence would need to be sought from Natural England prior to any works which would result in the disturbance, damage or loss of a roost(s), or risk of killing/injury of a bat(s), to prevent risk of legal infringement. The terms of the licence would likely include a supervised soft-strip of the roof prior to works and appropriate mitigation features. If a maternity roost be identified, then there may also be timing constraints to the survey.

Unfortunately, as mentioned when we met earlier this week, we have had a particularly busy survey season and therefore would not be able to assist within the short timescales required to provide advice and allow your project to progress quickly. Given the size and type of works required, I suggest you seek advice from an ecologist with a bat 'low impact' licence as they have the best chance to assist within shorter timescales. However, please note that if surveys are required these will need to be undertaken within next years' survey season. The CIEEM directory

will be helpful in finding a suitable ecologist:

<https://events.cieem.net/RegisteredPracticeDirectory/Registered-Practice-Directory.aspx>

- 5.3.7 Noting the above and acknowledging that the Local Planning Authority has a duty of care towards European Protected Species (EPS's), I confirmed to the applicant that I would progress with my report, recommending a conditional consent so that the consent is in place ready for the next bat survey season commencing next May.

5.4 **Alternative Options**

- 5.4.1 None applicable.

5.5 **Pre-Commencement Conditions**

- 5.5.1 None applicable.

5.6 **Conclusion**

- 5.6.1 It is considered that the proposed works will not occasion harm to the listed building's special character or harm the character or appearance of the Ashwell Conservation Area, thereby, satisfying Sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the aims of Section 16 of the NPPF and the aims of Policy HE1 of the North Hertfordshire Local Plan 2011-2031. The proposal is therefore **UNOBJECTIONABLE**.

6.0 **Recommendation**

- 6.1 That listed building consent be **GRANTED** subject to the following conditions:

1. The work to which this consent relates shall be begun by not later than the expiration of the period of 3 years from the date of this notice.

Reason: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the commencement of the re-roofing, hereby consented, an initial Preliminary Roost Assessment (PRA) shall be undertaken to inform the need for further survey work (i.e. dawn emergence / dusk re-entry surveys) which should be undertaken during May - September (inclusive) to determine whether bats are roosting. Should this be the case, a mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details in the mitigation strategy.

Reason: To ensure the continued ecological functionality of bats and their roosts is maintained in accordance with European and National legislation.

3. All clay tiles capable of being salvaged from the existing roof shall be set aside and stored on site and shall be used in the re-roofing unless otherwise agreed and approved in writing by the Local Planning Authority. Furthermore, a sample of reclaimed handmade clay tiles to make up the shortfall shall be made up from reclaimed matching materials unless otherwise agreed and approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the grade II listed building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy HE1 of the Local Plan.

Informative/s:

1. Should a bat roost(s) be identified then a licence would need to be sought from Natural England prior to any works which would result in the disturbance, damage or loss of a roost(s), or risk of killing/injury of a bat(s), to prevent risk of legal infringement. The terms of the licence would likely include a supervised soft-strip of the roof prior to works and appropriate mitigation features (which may include the use of F1 bitumen felt and lead bat vents either side of the ridge). If a maternity roost be identified, then there may also be timing constraints to the survey. Given the size and type of works required, it may be that an ecologist with a bat 'low impact' licence may be able to assist.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 10 September 2024	