

Annex A  
Dunchideock Parish Council  
Item 4, Extraordinary Meeting 13<sup>th</sup> August 2019

Application Ref: 19/00668/FUL  
Location: Greenacres, Belvedere Park, Dunchideock  
Proposal: Change of roof materials from concrete tiles to natural slate and extend existing front dormer

Explanation:

‘Greenacres’ is a bungalow located on the corner of Belvedere Park, just before the stone bridge at the top of the Lord Haldon Hotel Drive.

This full planning application is for a change of roof materials from concrete tiles to natural slate and to extend existing front dormer with a Juliet balcony. The work has been in part completed, and therefore this appears to be a retrospective application.

In spring, during roofing works, a breeding roost for a colony of pipistrelle bats was discovered under tiles on the southern dormer window; the roost is of County Importance. Works in the area were halted and a Consultant Ecologist was called in to advise. The consultants (Western Ecology) surveyed the building and issued a report with advice on how the roost could be safeguarded in the long term. They advised that no works in the vicinity of the roost could proceed lawfully until such time as a licence had been granted from Natural England. The licence, once issued, will set out a series of binding requirements in a detailed method statement, which will cover such areas as the materials to be used in the vicinity of the roost, and also requirements for monitoring.

TDCs ecologist has suggested a planning condition as follows:

**No works shall be undertaken prior to Natural England granting of a European Protected Species Licence. All works shall be undertaken in strict accordance with the EPS licence including all mitigation and compensation measures included therein.**

**To inform discharge of this condition the applicant shall submit a copy of the European Protected Species Licence application including working method statement; a copy of the European Protected Species Licence; photographs of completed works, mitigation and compensation measures in situ; and the results of the bat monitoring required by the EPS Licence.**

**REASON: for the protection of bats and a bat maternity roost.**

I suggest the following formal comment to TDC in respect of this application:

“Dunchideock Parish Council has no objection in principal to this planning submission (to replace the previous concrete tiles with natural slate and to slightly alter the front dormer / add a Juliet balcony). We note however that most of the roofing works have already have been completed and thus this appears to be a retrospective application.

We understand that during the final stages of re-roofing in spring this year, a breeding colony of Pipistrelle bats was discovered and that a bat consultant was subsequently engaged. The bat report produced by Western Ecology describes the colony as being of 'County Importance' and states that a European Protected Species Licence will be required before works in the vicinity of the roost can lawfully continue. In view of the importance of this roost we welcome the draft planning condition by the Teignbridge Ecologist which states that all works shall be undertaken in strict accordance with the EPS licence, including all mitigation and compensation measures. We very much hope that the adopted mitigation measures will secure the future of this important local bat roost.”

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Application Ref: 19/01358/CLDE  
Location: Treetops, Higher Ashton  
Proposal: Non-compliance with an agricultural occupancy condition attached to Treetops

Explanation:

Treetops' is a bungalow located on the road from Penhill Cross to the Haldon Belvedere, on the left hand side.

- The application is for a **Lawful Development Certificate** in respect of Non-Compliance with an Agricultural Occupancy Condition which refers to "**persons whose employment or latest employment is or was employment in agriculture**".
- A Lawful Development Certificate is required because there has been no tenant / occupier for over ten years who has been engaged in agriculture, which was a requirement of the condition.
- The current tenants have occupied the property since 1993 and supplied a letter confirming that **they have not been engaged in agriculture during the past 10 years.**
- There is however no evidence of their occupations prior to this and it is my understanding that **if they had been engaged in agriculture previously the agricultural tie may not in fact be broken.**
- I suggest therefore that we make the following observations to TDC in respect of this application:

“The application is referred back as the Agricultural Occupancy Condition refers to "persons whose employment or latest employment is or was in agriculture". As there has been unbroken occupancy since 1993 it is recommended that proof of employment of the tenants / occupants from 1993 on be obtained, since there is the possibility that the Condition still applies.”

Cllr A McCarthy