

**Planning Committee:** 11 October 2016

**Item Number:** **5**

**Application No:** [W/16/0606](#)

**Town/Parish Council:** Baginton  
**Case Officer:** Helena Obremski  
01926 456531 Helena.Obremski@warwickdc.gov.uk

**Registration Date:** 13/05/16  
**Expiry Date:** 08/07/16

**Baginton School, Church Road, Baginton, Coventry, CV8 3AR**  
Demolition of existing former school building and erection of 2no. dwellings. FOR  
The Lucy Price Trust (LPT)

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This application is being presented to Committee as the Parish Council supports the application and it is recommended for refusal.

### **RECOMMENDATION**

Planning Committee are recommended to refuse planning permission.

### **DETAILS OF THE DEVELOPMENT**

The applicant seeks full planning permission for the demolition of Baginton School and erection of 2no. two storey, three bedroom detached dwellings. Two off street parking spaces are provided to the front of each property which front Church Road.

### **THE SITE AND ITS LOCATION**

The application site is positioned to the north of Church Lane and is located within the Green Belt and Conservation Area. The site currently accommodates a single storey former school building which fronts directly onto the pavement serving Church Lane. To the sides and rear of the school building, there is hard landscaping providing car parking. To the rear of the site, the land level steps up and provides a small grassy area, with some overgrown vegetation and a high level boundary treatment to the north of the site.

To the west of the site lies St. John the Baptiste Church, a Grade I listed building dating from the thirteenth century. To the east and south of the site, there are a number of residential dwellings, some of which are Grade II listed buildings and primarily front onto Church Lane.

### **PLANNING HISTORY**

There is no relevant planning history relating to this site.

### **RELEVANT POLICIES**

- National Planning Policy Framework

- The Current Local Plan
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)
- SC8 - Protecting Community Facilities (Warwick District Local Plan 1996 - 2011)
- The Emerging Local Plan
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- FW2 - Sustainable Urban Drainage (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- H1 - Directing New Housing (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS4 - Improvements to Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE6 - Archaeology (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS8 - Protecting Community Facilities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- Guidance Documents
- The 45 Degree Guideline (Supplementary Planning Guidance)

- Distance Separation (Supplementary Planning Guidance)
- Vehicle Parking Standards (Supplementary Planning Document)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Open Space (Supplementary Planning Document - June 2009)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)

## **SUMMARY OF REPRESENTATIONS**

**Baginton Parish Council:** Support application but, comment that an existing right of way should be maintained for nearby residential properties, which should be made reference to if permission is granted to protect the interests of the adjoining properties.

**Historic England:** General Observations: the existing building is apparently on the site of an earlier school building with a similar footprint, in that it backs onto the pavement, in common with residential properties on the street. For any new development to accord with the character of the area it should be located on the back of the pavement, and preferably be one structure rather than a pair of detached houses which would also be in keeping with the adjoining properties. Parking should be located to the rear which would also preserve the character and not markedly change the setting of the Grade I parish church if carefully designed.

**WCC Ecology:** Requires provision of an initial bat survey and Preliminary Ecological Appraisal prior to determination of the application.

**WCC Landscape Team:** Objection, the setting of the cottages needs further consideration. The principle of setting back the cottages so that views of the church can be obtained is acceptable; however, the current arrangement of parking at the front of the properties is not in keeping with the existing character of the Conservation Area. A detailed hard and soft landscape plan should be included in the application.

**WCC Archaeology:** No objection, subject to the inclusion of conditions requiring the provision of a programme of archaeological works and archaeological mitigation strategy.

**WCC Highways:** No objection.

**Green Space Team:** No objection, requests contribution of £3,768 to be put towards the development of nearby destination parks.

### **Public Responses:**

**4 Letters of Support:** comments focus on support of the removal of the existing building which is considered to be detrimental to the Conservation Area. The proposed dwellings should complement the Conservation Area and parking provision must be provided. The development would be an enhancement and provide housing.

**2 Letters of Objections:** concern focuses on the demolition of a building with historical importance. The proposed dwellings are inappropriate and would spoil

the views of the church. The building should be converted rather than demolished, preserving the original line of the buildings on the road.

**Neutral Response:** supportive of the removal of the existing building, however, the style of the properties is out of keeping with Church Road and should reflect the existing character of the Conservation Area. The dwellings should be positioned closer to the road and replicate the existing features within the street scene.

## **ASSESSMENT**

The main issues relevant to the consideration of this application are as follows:

- Principle of the Development
- Loss of a Community Facility
- Impact on the Green Belt
- The Impact on the Character and Appearance of the Area
- The Impact on the living conditions of nearby dwellings
- The Impact on Landscape and Heritage Assets
- Open Space
- Archaeology
- Car Parking and Highways Safety
- Drainage and Flood Risk
- Sustainable Energy
- Ecological Impact
- Health and Wellbeing
- Other Matters

### Principle of the Development

The relevant Local Plan Policy in relation to residential development is RAP1 - 'Directing New Housing'. The proposals would be contrary to Policy RAP1 as the site is not located within a Limited Growth Village as identified within the policy. However, the National Planning Policy Framework (NPPF) 2012 states (para. 49) that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites against their housing requirement.

Whilst significant steps have been made towards meeting a five year housing land supply an analysis of all current information indicates that the District Council are not able to demonstrate a five year supply of deliverable housing sites.

Accordingly Policy RAP1 is to be considered out-of-date and in these circumstances the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development (paragraph 14). However, footnote 9 lists exemptions to this, with Green Belt land being excluded. The Framework explains that there are three dimensions to the concept of sustainable development: economic, social and environmental.

The scheme will contribute 2 additional houses which will make a very small contribution towards helping the Council meet its five year requirement and

granting permission for this site would increase the supply of land for housing. This carries some weight in the assessment of this application. While the Council has no control over whether a site will be delivered, it is nevertheless reasonable to assume that a site with planning permission would be deliverable with a realistic prospect that development on this site would be achievable within a five year period.

Therefore the main assessment of this application is, whether, in the absence of a five year supply of housing, any adverse impacts of the proposed development, having particular regard to the effect upon: the Green Belt, the character and appearance of the area, including the impact on the Conservation Area and setting of the Listed Buildings, would significantly and demonstrably outweigh the benefits of the scheme.

#### Loss of a Community Facility

Adopted Local Plan policy SC8 states that the redevelopment or change of use of community facilities that serve local needs will not be permitted unless: there are other similar facilities accessible to the local community by means other than a car; the facility is redundant and no other user is willing to acquire and manage it; or there is an assessment demonstrating a lack of need for the facility within the local community.

There are no other schools within walking distance of the site. Whilst public comments state that the facility is redundant, there has been no formal evidence submitted by the agent to indicate this, or that any other users are not willing to acquire the site. Furthermore, there has been no information provided by the agent demonstrating a lack of need for the facility within the local community.

Therefore, the loss of this community facility is not acceptable in principle and the proposal is considered to be contrary to Local Plan policy SC8.

#### Impact on the Green Belt

The National Planning Policy Framework (NPPF) states that the essential characteristics of Green Belt are openness and permanence. It sets out that there is an objection in principle to inappropriate development within the Green Belt and determines that exceptions to inappropriate development in the Green Belt includes the partial or complete redevelopment of a previously developed site, so long as it does not have a greater impact on the openness of the Green Belt.

Therefore, as the site is considered to be brownfield, redeveloping the site would be acceptable and would not be harmful to the Green Belt, so long as it does not have a greater impact on openness. In this case, the proposed dwellings are considerably larger than the existing single storey structure. The existing structure has a gross floor space of approx. 173 metres square, whereas the two storey dwellings would provide a combined floorspace of 326 metres square.

Whilst the site is previously developed land, the proposed dwellings would be considerably larger, providing 2no. separate two storey structures, rather than one single storey building, nearly doubling the floorspace of the existing school,

which would have a greater impact on the openness of the Green Belt. Therefore, the proposed development is considered to be contrary to the NPPF.

### The Impact on the Character and Appearance of the Area

The National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions. Furthermore, Warwick District Council's Local Plan 1996 - 2011 policy DP1 reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using the appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area. Finally, the Residential Design Guide sets out steps which must be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing importance features; respecting the surrounding buildings and using the right materials.

The proposed dwellings will be positioned further from the pavement to provide parking in front of the dwellings. The existing structure and majority of other dwellings within the street scene are positioned adjacent to the pavement or highway, therefore the siting of the dwellings is not considered to harmonise with the existing street scene.

It is acknowledged that the design of the dwellings has mirrored some of the traditional features found within the street scene, however, the proposal would still be a significant departure from the existing single storey structure, providing two buildings rather than one. The development is not considered to respect the character of the wider street scene and is considered to detrimentally impact on the wider area by reason of their siting and number. Therefore, the proposed development is considered to be contrary to the NPPF, Local Plan policy DP1 and the Residential Design Guide.

### The Impact on Landscape and Heritage Assets

Warwick District Council adopted Local Plan policy DAP8 requires development to preserve or enhance the special architectural and historic interest and appearance of Conservation Areas. It goes on to state that development should respect the setting of Conservation Areas and should not impact on important views or groups of buildings from inside and outside of the boundary. The policy requires that new development within the Conservation Area should make a positive contribution to the local character and distinctiveness of the Conservation Area. Adopted Local Plan policy DAP9 relating to unlisted buildings in Conservation Areas reiterates this by stipulating that alterations and extensions should be refused where they adversely affect the character, appearance or setting of a Conservation Area. Adopted Local Plan policy DAP4 reinforces the NPPF by stipulating that works must not adversely affect the listed buildings special architectural or historic interest, integrity or setting.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty when exercising planning functions to pay special attention to the desirability of preserving or enhancing the character of a conservation area. Section 66 of the same Act imposes a duty to have special regard to the desirability of preserving a listed building or its setting when considering whether to grant a planning permission which affects a listed building or its setting.

Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage assets, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Officers and Historic England have shown concern regarding the positioning of the properties and the impact which the proposed development would have on the Conservation Area. Any new development to accord with the character of the area should be located on the back of the pavement, and preferably be as one structure rather than a pair of detached houses which would be in keeping with the adjoining properties. Furthermore, parking should be located to the rear which would preserve the character and not markedly change the setting of the Grade I parish church if carefully designed.

There have been public objections to the development stating that they object to the demolition of a building which has historical importance and that the proposed modern dwellings are inappropriate and would have a detrimental impact on views of the church. They suggest conversion of the existing building would be more appropriate.

However, there has also been public support for the proposal, supporting the removal of the existing school building as they consider it to have a detrimental impact on the Conservation Area due to the fact that it is dilapidated.

The removal of the existing structure is not considered to cause harm to the Conservation Area; the building is not considered to be of significant architectural merit which would warrant its retention and it is not considered to enhance the Conservation Area. However, the proposed dwellings are considered to cause harm to the Conservation Area and setting of the Grade I listed church to the west of the site. The dwellings are not considered to respect the established character of this part of the Conservation Area, where dwellings are traditionally positioned against the highway. Furthermore, the Council supports Historic England's comments that the proposed development should only be one structure, in order to respect the existing character found within the street scene.

The parking provided to the front of the property dominates the front aspect and is uncharacteristic within this part of the Conservation Area. It is considered that this also has a detrimental impact on setting of the Grade I listed church to the west of the site.

Whilst the development would provide two new dwellings, it is not considered that the public benefits which this would bring, when considering the impact

which these properties would have on the openness of the Green Belt and its rural setting, would outweigh the harm caused to the Conservation Area and setting of the adjacent listed building. The development is therefore considered to be contrary to the NPPF, Local Plan policies DAP8 and DAP4.

### Open Space

The Open Space Team have requested a total contribution £3,768 to be put towards the development of nearby destination parks. However, paragraph 31 of the NPPF provides that tariff style contributions should not be sought from developments of 10-units or less which is a material consideration and carries significant weight. Departure from the NPPF should only be considered if exceptional circumstances are present and it is considered that the current circumstances would not represent justification to depart from policy contained within the NPPF. It would therefore not be reasonable to impose a condition for the requirement of open space contributions in accordance with the NPPF.

### Archaeology

The proposed development lies within an area of significant archaeological potential, within the probable extent of the medieval settlement at Baginton (Warwickshire Sites and Monuments Record MWA 9492). There is therefore a potential for archaeological deposits, including structural remains, boundary features and rubbish pits, associated with the occupation of this area during the medieval and post-medieval periods to be disturbed by the proposed development. WCC Archaeology has therefore requested conditions requiring the provision of a scheme of archaeological works and an archaeological mitigation strategy, which are considered to be acceptable.

### The Impact on the living conditions of nearby dwellings

Warwick District Local Plan policy DP2 requires all development to have an acceptable impact on the amenity of nearby users or residents and to provide acceptable standards of amenity for future users or occupiers of the development. There is a responsibility for development not to cause undue disturbance or intrusion for nearby users in the form of loss of privacy, loss of daylight, or create visual intrusion. The Residential Design Guide provides a framework for policy DP2, which stipulates the minimum requirements for distance separation between properties and that extensions should not breach a 45 degree line taken from a window of nearest front or rear facing habitable room of a neighbouring property.

The Glebe Barn is positioned opposite to the application site. This is a two storey dwelling and the minimum distance separation required for the proposed development would usually be 22 metres. The proposed dwellings are positioned 16.5 metres away from this neighbour. Whilst this does not meet the Council's minimum distance separation requirement, the guidance does state that within Conservation Areas, where the overriding need is to preserve or enhance the appearance of the area, the provisions of the guidance will not need to be directly applied. Therefore, in this instance it is considered that the requirement to apply this guidance is not needed. It is not considered that the proposed



dwellings would have a material harm to the living conditions of the occupiers of Glebe Barn which would warrant reason for refusal.

The Old School House is positioned to the east of the application site and sits further forward than the proposed dwellings. There would be no loss of light or outlook as a result of the proposed development as it would be at least 8.5 metres from the proposed development at its closest point. Furthermore there are no first floor side facing windows which would overlook this neighbour. For these reason it is not considered that there would be material harm caused to the living conditions of the occupiers of Old School House which would warrant reason for refusal of the application.

The proposal is therefore considered to comply with Local Plan policy DP2 and the Residential Design Guide.

#### Car Parking and Highways Safety

The proposal provides two off street car parking spaces for each dwelling which meets the Council's adopted Vehicle Parking Standards. WCC Highways have no objection to the development and comment that the visibility that could be achieved at these locations would be sub-standard. However they recognise that the removal of the existing building would provide greater visibility than can be achieved from the vehicular accesses at present. The vehicular access for the adjacent residential property has similar or lower levels of visibility than the proposed vehicular accesses. With these matters considered, the Highway Authority did not consider that the proposal would be likely to cause severe detriment to highway safety.

#### Drainage

There has been no information provided in relation to landscaping other than that shown on the block plan which makes reference to soft landscaping only. A condition could be applied to the application for the provision of a soft and hard landscaping scheme prior to commencement of works to ensure that sustainable drainage systems are provided, which was also requested by WCC Landscape Team.

#### Sustainable Energy

Due to the scale of the proposed development it is considered that a requirement to provide 10% of the predicted energy requirement of the development through renewables or a 10% reduction in CO<sup>2</sup> production through a fabric first approach would be appropriate. The agent has provided details to show that an air source heat pump will be used to provide renewable energy for the properties, however, further information is required in order to ensure that the minimum level of energy will be provided. This information could be secured by condition.

#### Ecological Impact

WCC Ecology have assessed the application and have requested the provision of an initial bat survey and Preliminary Ecological Appraisal prior to determination of the application. The agent provided further details in reference to the potential of the existing building for bats. However, the County Ecologist has

confirmed that the building has potential for roosting bats given gap at missing felt, open window, gap in the false ceiling which apparently leads to a void and the known bat records and the location of the site adjacent to suitable bat foraging habitat.

Neither of these documents have been provided by the applicant and for this reason, the Ecologist is unable to determine what impact the proposal could have on protected wildlife species. Therefore, the development is considered contrary to the NPPF and Local Plan policy DP3.

### Health and Wellbeing

No issues of health or well-being are raised, however, the proposal would provide additional homes.

### Other Matters

The Parish Council have supported the application and comment that an existing right of way should be maintained for nearby residential properties, which should be made reference to if permission is granted to protect the interests of the adjoining properties. However, as this is a legal matter, not dealt with under planning legislation, it would not be considered appropriate to request this information.

## **CONCLUSION**

The proposed development of two dwellings would represent the loss of a community facility and is considered to be harmful to the openness of the Green Belt and would have a detrimental impact on the Conservation Area, and setting of a Grade I listed building. There are no public benefits are considered to outweigh the harm caused to the Conservation Area or setting of the listed building. Furthermore, the development is considered to be harmful to the existing street scene and could also potentially cause harm to protected wildlife species. Therefore, the proposal is considered to conflict with the NPPF and aforementioned Local Plan policies and guidance.

## **REFUSAL REASONS**

- 1 The National Planning Policy Framework (NPPF) states that the essential characteristics of Green Belt are openness and permanence. Paragraph 89 determines that exceptions to inappropriate development in the Green Belt include the partial or complete redevelopment of a previously developed site, so long as it does not have a greater impact on the openness of the Green Belt.

The application site is considered to represent previously developed land, however, the proposed dwellings are considerably larger than the existing single storey structure, providing two separate, two storey structures, rather than one single storey building, which are nearly double the floorspace of the existing school, which would have a greater impact on the openness of the Green Belt. Therefore, the proposed development is considered to be contrary to the NPPF.

- 2 Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage assets, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Furthermore, Local Plan policy DAP8 requires development to preserve or enhance the special architectural and historic interest and appearance of Conservation Areas. It goes on to state that development should respect the setting of Conservation Areas and should not impact on important views or groups of buildings from inside and outside of the boundary.

The proposed dwellings are considered to cause harm to the Conservation Area by reason that they do not respect the established character found within the wider area. Furthermore, the parking provision to the front of the property dominates the front aspect and is uncharacteristic within this part of the Conservation Area.

It is not considered that the public benefits which the development would bring, when considering the impact which the properties would have on the openness of the Green Belt and its rural setting, would outweigh the harm caused to the Conservation Area. The development is therefore considered to be contrary to the NPPF and Local Plan policy DAP8.

- 3 Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage assets, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Furthermore, Local Plan policy DAP4 states that development will not be permitted that will adversely affect the setting of a listed building.

The proposed dwellings are considered to cause harm to the setting of the Grade I listed building, by reason that they do not respect the established character of the Conservation Area. The parking provision to the front of the property dominates the front aspect and is uncharacteristic within this part of the Conservation Area, which detracts from the character of the listed building.

It is not considered that the public benefits which the development would bring, when considering the impact which the properties would have on the openness of the Green Belt and its rural setting, would

outweigh the harm caused to the setting of the listed building. The development is therefore considered to be contrary to the NPPF and Local Plan policy DAP4.

- 4 Local Plan policy DP1 reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using the appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area. The Residential Design Guide sets out steps which must be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing importance features; respecting the surrounding buildings and using the right materials.

The proposed dwellings are considered to be harmful to the existing established street scene, by reason of their siting which is inappropriate and incongruous. The development is not considered to harmonise with the existing street scene. The proposal would represent a significant departure from the existing single storey structure, providing two buildings rather than one, which is not considered to respect the existing character of the street scene. Therefore, the proposed development is considered to be contrary to the NPPF, Local Plan Policy DP1 and the Residential Design Guide

- 5 Adopted Local Plan policy SC8 states that the redevelopment or change of use of community facilities that serve local needs will not be permitted unless: there are other similar facilities accessible to the local community by means other than a car; the facility is redundant and no other user is willing to acquire and manage it; or there is an assessment demonstrating a lack of need for the facility within the local community.

There are no other schools within walking distance of the site. There has been no formal evidence submitted by the agent to indicate that the facility is redundant, or that any other users are not willing to acquire the site. Furthermore, there has been no information provided by the agent demonstrating a lack of need for the facility within the local community. Therefore, the development would result in the loss of a community facility and the proposal is considered to be contrary to Local Plan Policy SC8.

- 6 Paragraph 99 of Circular 06/2005 *Biodiversity and Geological Conservation – Statutory Obligations and their impact within the Planning System* advises that it is essential that the presence or otherwise of protected species, and the extent to which they might be affected by the proposed development, is established *before* planning permission is granted, otherwise all relevant material considerations will not have been addressed on making the decision. Circular 06/2005 advises that the need to ensure that ecological surveys are carried out

should only be left to conditions in exceptional circumstances. No such circumstances exist in this case.